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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF
"THE PARLIAMENTARY HISTORY OF ENGLAND
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF
WILLIAM IV.

VOL. XXVI.

COMPRISING THE PERIOD FROM
THE NINETEENTH DAY OF FEBRUARY
TO
THE NINETEENTH DAY OF MARCH, 1835.
First Volume of the Session.

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1835.

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THE MINISTRY.

At the close of Vol. XXV. it was stated, that the Ministry was dismissed on Nov. 14th. Sir Robert Peel, who was then in Italy, was sent for to England, and empowered to form a new Cabinet. The following is a List of the new Administration.

THE CABINET.

Lord Melbourne's.		Sir Robert Peel's.
Viscount Melbourne,	*First Lord of the Treasury.*	Rt. hon. Sir R. Peel, bt.
Viscount Althorp,	*Chancellor of the Exchequer.*	Rt. hon. Sir R. Peel, bt.
Lord Brougham,	*Lord High Chancellor.*	Lord Lyndhurst.
Marquess of Lansdowne,	*Lord President of the Council.*	Earl of Rosslyn.
Earl Mulgrave,	*Lord Privy Seal.*	Lord Wharncliffe.
Lord Palmerston,	*Secretary for Foreign Department.*	Duke of Wellington.
Viscount Duncannon,	*Secretary for Home Department.*	Rt. hon. H. Goulburn.
Rt. hon. T. S. Rice,	*Secretary for Colonial Department.*	Earl of Aberdeen.
Lord Auckland,	*First Lord of the Admiralty.*	Earl de Grey.
Rt. hon. Sir J. Kempt,	*Master General of the Ordnance.**	Rt. hon. Sir Geo. Murray.
Rt. hon. C. P. Thomson,	*President of Board of Trade.*	Rt. hon. Alexander Baring.
Rt. hon. James Abercromby,	*Master of the Mint.*	Rt. hon. Alexander Baring.
Rt. hon. Charles Grant,	*President of Board of Control.*	Lord Ellenborough.
Lord John Russell,	*Paymaster of the Forces.*	Rt. hon. Sir E. Knatchbull
Rt. hon. E. Ellice,	*Secretary at War.*	Rt. hon. J. C. Herries.
Rt. hon. E. J. Littleton,	*Chief Secretary for Ireland.*	Rt. hon. Sir H. Hardinge.

NOT OF THE CABINET.

Marquess Wellesley,	*Lord Lieutenant of Ireland.*	Earl of Haddington.
Rt. hon. C. P. Thomson,	*Treasurer of the Navy, and Vice President of the Board of Trade.*	Viscount Lowther.
Lord Holland,	*Chancellor of the Duchy of Lancaster.*	Rt. hon. C. W. W. Wynne.
Marquess Conyngham,	*Postmaster General.*	Lord Maryborough.
Rt. hon. Sir John Hobhouse,	*Chief Commissioner of Woods and Forests.*	Lord Granville Somerset.

Lords of the Treasury.

R. Vernon Smith, esq.	Rt. hon. W. Yates Peel,
Hon. George Ponsonby,	Earl of Lincoln,
R. Graham, esq.	Viscount Stormont,
Captain G. S. Byng,	Charles Ross, esq.
	J. Nicholl, esq.

Secretaries of the Treasury.

Charles Wood, esq.	Sir George Clerk, bt.
F. Thornhill Baring, esq.	Sir T. Fremantle, bt.

---

* Sir George Murray having failed in his attempt to get returned for Perthshire, ceased to be a Member of the Cabinet.

THE MINISTRY.

Lord Melbourne's.		Sir Robert Peel's.
Rear Admiral Adam,	*Lords of Admiralty.*	Vice Admiral Sir G. Cockburn, G.C.B.
Sir G. J. B. Pechell, bt.		Vice Admiral Sir J. P. Beresford, K.C.B.
Admiral Parker,		Vice Admiral Sir C. Rowley, K.C.B.
Henry Labouchere, esq.		Lord Ashley,
Captain Berkeley, R. N.		Maurice Fitzgerald, esq.
Hon. Capt. G. Elliot, R.N.	*Secretary to Admiralty.*	Right hon. G. R. Dawson.
Rt. hon. J. Sullivan,	*Commissioners for the Affairs of India.*	Rt. hon. John Sullivan,
J. A. Stewart Mackenzie, esq.		Joseph Planta, esq.
		Sir Alexander Cray Grant.
Robt. Gordon, esq.	*Secretary to the Commissioners.*	Wm. M. Praed, esq.
Lord Fordwich,	*Under Secretary Foreign Department.*	Lord Mahon.
E. J. Stanley, esq.	*Under Secretary Home Department.*	
Sir George Grey, bt.	*Under Secretary Colonial Department.*	W. Gladstone.
R. C. Fergusson, esq.	*Judge Advocate General.*	Sir John Beckett, bt.
Lieut. Colonel Fox,	*Surveyor General of Ordnance.*	Lord Robt. Somerset.
Colonel Leith Hay,	*Clerk of the Ordnance.*	Sir E. W. C. R. Owen, K.C.B.
Hon. Capt. H. Duncan,	*Principal Storekeeper of Ordnance.*	F. R. Bonham, esq.
Thomas Creevey, esq.	*Treasurer of Ordnance.*	Alex. Perceval, esq.

HOUSEHOLD APPOINTMENTS.

Earl of Albemarle,	*Master of the Horse.*	Duke of Dorset.
Duke of Devonshire,	*Lord Chamberlain.*	Earl Jersey.
Duke of Argyle,	*Lord Steward.*	Earl of Wilton.
Earl of Denbigh,	*Lord Chamberlain to the Queen.*	Earl Howe.
Earl of Errol,	*Master of the Horse.*	Earl of Denbigh.

LAW APPOINTMENTS.

Lord Plunkett,	*Lord Chancellor of Ireland.*	Sir Edward Sugden.
Lord Lyndhurst,	*Lord Chief Baron of Exchequer.*	Sir James Scarlett.
Sir John Campbell,	*Attorney General.*	Sir Frederick Pollock.
R. M. Rolfe, esq.	*Solicitor General.*	Sir Will. Follett.
J. A. Murray, esq.	*Lord Advocate for Scotland.*	Sir Wm. Rae, bt.

ROLL

OF THE

LORDS SPIRITUAL AND TEMPORAL,

IN THE FIRST SESSION OF THE TWELFTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

[*It has been thought better to omit the official dignities of Peers, because from the changes of Ministry, the Lists frequently become useless before the Session or Parliament ends.*]

His Royal Highness Ernest Augustus Duke of Cumberland and of Teviotdale.

His Royal Highness Augustus Fred. Duke of Sussex.

His Royal Highness Adolphus Fred. Duke of Cambridge.

William Archbishop of Canterbury.

Edward Archbishop of York.

Power Archbishop of Tuam.

Bernard Edward Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Duke of Richmond.

George Henry Duke of Grafton.

Henry Charles Duke of Beaufort.

William Aubrey de Vere Duke of St. Alban's.

George William Frederick Duke of Leeds.

John Duke of Bedford.

William Spencer Duke of Devonshire.

George Duke of Marlborough.

John Henry Duke of Rutland.

Alexander Duke of Brandon. *(Duke of Hamilton.)*

William Henry Cavendish Duke of Portland.

William Duke of Manchester.

Charles Duke of Dorset.

Henry Pelham Duke of Newcastle.

Hugh Duke of Northumberland.

Arthur Duke of Wellington.

Richard Duke of Buckingham and Chandos.

George Granville Duke of Sutherland.

William Harry Duke of Cleveland.

Charles Ingoldesby Marquess of Winchester.

George Marquess of Tweeddale. *(Elected for Scotland.)*

Henry Marquess of Lansdowne.

George Ferrars Marquess Townshend.

James Brownlow William Marquess of Salisbury.

Thomas Marquess of Bath.

James Marquess of Abercorn.

Francis Charles Marquess of Hertford.

John Marquess of Bute.

William Marquess of Thomond. *(Lord Tadcaster.)* *(Elected for Ireland.)*

Brownlow Marquess of Exeter.

Spencer Joshua Alwyne Marquess of Northampton.

John Jeffreys Marquess Camden.

Henry William Marq. of Anglesey.

George Horatio Marquess of Cholmondeley.

George Augustus Francis Marquess of Hastings.

Charles Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. *(Elected for Ireland.)*
Frederick William Marquess of Bristol.
Archibald Marquess of Ailsa.
John Marquess of Breadalbane.
Robert Marquess of Westminster.

John Earl of Shrewsbury.
Edward Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
Robert Henry Earl of Pembroke and Montgomery.
William Earl of Devon.
Thomas Earl of Suffolk and Berkshire.
William Basil Percy Earl of Denbigh.
John Earl of Westmoreland.
Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George William Earl of Winchilsea and Nottingham.
George Earl of Chesterfield.
Henry Earl of Thanet.
John William Earl of Sandwich.
George Earl of Essex.
Robert Earl of Cardigan.
George Earl of Carlisle.
Walter Francis Earl of Doncaster. *(Duke of Buccleuch and Queensbury.)*
Cropley Earl of Shaftesbury.
——— Earl of Berkeley.
Montague Earl of Abingdon.
Andrew Earl of Plymouth.
John Savile Earl of Scarborough.
William Charles Earl of Albemarle.
George William Earl of Coventry.
George Earl of Jersey.
John Earl Poulett.
George Sholto Earl of Morton. (*Elected for Scotland.*)
Alexander Earl of Home. (*Elected for Scotland.*)
Thomas Earl of Elgin. (*Elected for Scotland.*)
David Earl of Airlie. (*Elected for Scotland.*)
David Earl of Leven and Melville. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. *(Elected for Scotland.)*
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Edward Earl of Oxford and Earl Mortimer.
Washington Earl Ferrers.
William Earl of Dartmouth.
Charles Augustus Earl of Tankerville.
Heneage Earl of Aylesford.
Peter Leopold Louis Francis Earl Cowper.
Philip Henry Earl Stanhope.
Robert Earl of Harborough.
George Earl of Macclesfield.
George William Richard Earl of Pomfret.
James Earl Graham. (*Duke of Montrose.*)
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Bertram Earl of Ashburnham.
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George Robert Earl of Buckinghamshire.
Charles William Earl Fitzwilliam.
George Earl of Egremont.
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James Earl Cornwallis.
Charles Philip Earl of Hardwicke.
Henry Stephen Earl of Ilchester.
George John Earl De La Warr.
William Earl of Radnor.
John Charles Earl Spencer.
John Earl of Chatham.
Henry George Earl Bathurst.
Arthur Blundell Sandys Trumbull Earl of Hillsborough. (*Marquess of Downshire.*)
John Charles Earl of Clarendon.
Henry Earl of Abergavenny.
George Earl of Norwich. (*Duke of Gordon.*)
Charles Chetwynd Earl Talbot.
John Earl Strange. *(Duke of Athol.)*
Richard Earl of Mount Edgcumbe.

THE LORDS' ROLL.

Hugh Earl Fortescue.
Edward Earl of Digby.
George Earl of Beverley.
David William Earl of Mansfield.
Henry John George Earl of Carnarvon.
Charles Cecil Cope Earl of Liverpool.
George Earl Cadogan.
James Edward Earl of Malmesbury.
Somerset Richard Earl of Carrick. *(Elected for Ireland.)*
Francis William Earl of Charlemont. *(Elected for Ireland.)*
George Earl of Kingston. *(Lord Kingston.)* *(Elected for Ireland.)*
Stephen Earl of Mount Cashell. *(Elected for Ireland.)*
Thomas Earl of Longford. *(Lord Silchester.)* *(Elected for Ireland.)*
John Earl of Mayo. *(Elected for Ireland.)*
John Willoughby Earl of Enniskillen. *(Lord Grinstead.)* *(Elected for Ireland.)*
William Earl of Wicklow. *(Elected for Ireland.)*
Richard Earl of Lucan. *(Elected for Ireland.)*
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Charles Henry St. John Earl O'Neill. *(Elected for Ireland.)*
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Edward Earl of Powis.
William Earl Nelson.
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John George Earl of Durham.
Frederick Earl of Ripon.
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James Viscount Strathallan. *(Elected for Scotland.)*
Henry Viscount Bolingbroke and St. John.
George Viscount Torrington.
Augustus Fred. Viscount Leinster. *(Duke of Leinster.)*
Henry Viscount Maynard.
John Robert Viscount Sydney.
Henry Viscount Hood.

Hayes Viscount Doneraile. *(Elected for Ireland.)*
Edward Jervis Viscount St. Vincent.
Robert Viscount Melville.
Henry Viscount Sidmouth.
Robert Edward Viscount Lorton. *(Elected for Ireland.)*
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Edward Viscount Exmouth.
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Henry Bishop of Norwich.
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Geo. Henry Bp. of Bath and Wells.
Henry Bp. of Lichfield and Coventry.
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Nathaniel Lord Scarsdale.

George Lord Boston.
Henry Richard Lord Holland.
John Lord Lovell and Holland. *(Earl of Egmont.)*
George Charles Lord Vernon.
Thomas Lord Ducie.
George Charles Lord Camden.
George William Lord Sundridge and Hamilton. *(Duke of Argyll.)*
Edward William Lord Hawke.
Thomas Lord Foley.
George Talbot Lord Dynevor.
Thomas Lord Walsingham.
William Lord Bagot.
Charles Lord Southampton.
Fletcher Lord Grantley.
George Lord Rodney.
George Lord Carteret.
William Lord Berwick.
John Lord Sherborne.
Hen. James Montagu Lord Montagu.
Henry Lord Tyrone. *(Marquess of Waterford.)*
Henry Lord Carleton. *(Earl of Shannon.)*
Edward Lord Suffield.
Guy Lord Dorchester.
George Lord Kenyon.
Richard Lord Braybrooke.
George Augustus Lord Fisherwick. *(Marquess of Donegal.)*
Archibald Lord Douglas of Douglas.
Henry Hall Lord Gage. *(Viscount Gage.)*
Edward Thomas Lord Thurlow.
George Lord Auckland.
William Henry Lord Lyttleton.
Henry Welbore Lord Mendip. *(Viscount Clifden.)*
Henry John Lord Selsey.
Lawrence Lord Dundas.
Charles Lord Yarborough.
Francis Lord Stuart of Castle Stuart. *(Earl of Moray.)*
Randolph Lord Stewart of Garlies *(Earl of Galloway.)*
James George Lord Saltersford. *(Earl of Courtown.)*
George Lord Brodrick. *(Viscount Middleton.)*
George Lord Calthorpe.
John Lord Rolle.
Richard Lord Wellesley. *(Marquess Wellesley.)*
Robert Lord Carrington.
Henry Lord Bayning.
William Powlett Lord Bolton.
John Lord Wodehouse.
John Lord Northwick.
Thomas Atherton Lord Lilford.
Thomas Lord Ribblesdale.
John Lord Fitzgibbon. *(E. of Clare.)*
John Lord Carbery. *(Elected for Ireland.)*
John Ld. Farnham. *(Elect. for Ireland.)*
James Lord Dufferin and Claneboye. *(Elected for Ireland.)*
Henry Lord Dunalley. *(Elected for Ireland.)*
Charles Lord Moore. *(Marquess of Drogheda.)*
John Loftus Lord Loftus. *(Marquess of Ely.)*
John Lord Carysfort. *(Earl of Carysfort.)*
William Lord Alvanley.
George Lord Abercromby.
Alleyne Lord St. Helen's.
John Thomas Lord Redesdale.
George Lord Rivers.
Edward Lord Ellenborough.
Charles George Lord Arden.
George Augustus Frederick Chas. Lord Sheffield. *(Earl of Sheffield.)*
Charles Noel Lord Barham.
David Montagu Lord Erskine.
Howe Peter Lord Mount Eagle. *(Marquess of Sligo.)*
Archibald William Lord Ardrossan. *(Earl of Eglintoun.)*
James Lord Lauderdale. *(Earl of Lauderdale.)*
George Lord Granard. *(Earl of Granard.)*
John Lord Crewe.
John Lord Ponsonby of Imokilly.
Alan Legge Lord Gardner.
Thomas Lord Manners.
John Lord Hopetoun and Niddry. *(Earl of Hopetoun.)*
Thomas Lord Lynedoch.
Rowland Lord Hill.

George Lord Dalhousie. *(Earl of Dalhousie.)*
George Lord Meldrum. *(Earl of Aboyne.)*
George Lord Ross. *(Earl of Glasgow.)*
John Willoughby Lord Grinstead. *(In another place as Earl of Enniskillen.)*
Edmund Henry Lord Foxford. *(In another place as Earl of Limerick.)*
William Lord Melbourne. *(Viscount Melbourne.)*
Francis Almeric Lord Churchill.
William George Lord Harris.
Algernon Lord Prudhoe.
Charles Lord Colchester.
John William Robert Lord Ker. *(Marquess of Lothian.)*
Francis Nathaniel Lord Minster. *(Marquess Conyngham.)*
James Lord Ormonde. *(Marquess of Ormonde.)*
Francis Lord Wemyss.
Robert Lord Clanbrassil. *(Earl of Roden.)*
George Lord Kingston. *(In another place as Earl of Kingston.)*
Thomas Lord Silchester. *(In another place as Earl of Longford.)*
James Lord Glenlyon.
William Lord Maryborough.
Thomas Henry Lord Oriel. *(Viscount Ferrard.)*
William Lord Stowell.
Thomas Henry Lord Ravensworth.
Thomas Lord Delamere.
John George Weld Lord Forester.
Ullysses Lord Downes. *(Elected for Ireland.)*
Nicholas Lord Bexley.
Robert Francis Lord Gifford.
Percy-Clinton-Sydney Lord Penshurst. *(Viscount Strangford.)*
William Lord Tadcaster. *(In another place as Marquess of Thomond.)*
Ulic John Lord Somerhill. *(Marquess of Clanricarde.)*
James Lord Wigan. *(Earl of Balcarres.)*
Thomas Lord Ranfurly. *(Earl of Ranfurly.)*
Charles Lord Farnborough.
George Lord De Tabley.
James Archibald Lord Wharncliffe.
Charles Lord Feversham.
Charles Rose Lord Seaford.
John Singleton Lord Lyndhurst.
James Lord Fife. *(Earl of Fife.)*
John Henry Lord Tenterden.
William Conyngham Lord Plunket.
Thomas Lord Melros. *(Earl of Haddington.)*
Henry Lord Cowley.
Charles Lord Stuart de Rothesay.
William Lord Heytesbury.
Archibald John Lord Rosebery. *(Earl of Rosebery.)*
Richard Lord Clanwilliam. *(Earl of Clanwilliam.)*
Edward Lord Skelmersdale.
Thomas Lord Wallace.
William Draper Lord Wynford.
Henry Lord Brougham and Vaux.
William George Lord Kilmarnock. *(Earl of Erroll.)*
Arthur James Lord Fingall. *(Earl of Fingall.)*
William Philip Lord Sefton. *(Earl of Sefton.)*
Nathaniel Lord Clements. *(Earl of Leitrim.)*
George William Fox Lord Rossie. *(Lord Kinnaird.)*
Henry Lord Dover.
Thomas Lord Kenlis. *(Marquess of Headfort.)*
John Chambre Lord Chaworth. *(Earl of Meath.)*
George Lord Dunmore. *(Earl of Dunmore.)*
George James Lord Ludlow. *(Earl Ludlow.)*
Robert Montgomery Lord Hamilton. *(Lord Belhaven and Stenton.)*
John Francis Lord Howden.
William Lord Panmure.
George Warwick Lord Poltimore.
Edward Pryce Lord Mostyn.
William Fitzhardinge Lord Segrave.
Arthur Lord Templemore.
William Lewis Lord Dinorben.
Valentine Browne Lord Cloncurry.
James Lord De Saumarez.

THE LORDS' ROLL.

Francis Godolphin Lord **Godolphin.**

Lucius Lord **Hunsdon.** *(Viscount Falkland.)*

Charles Callis Lord **Western.**

Charles Lord **Solway.** *(Marquess of Queensberry.)*

Thomas Lord **Denman.**

John William Lord **Duncannon.**

William Lord **Fitzgerald.**

James Lord **Abinger.**

Philip Charles Lord **De L'Isle** and **Dudley.**

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

HOUSE

HOUSE OF COMMONS,

BEING THE

FIRST SESSION OF THE TWELFTH PARLIAMENT OF THE UNITED KINGDOM OF

GREAT BRITAIN AND IRELAND,

APPOINTED TO MEET AT WESTMINSTER, 19TH FEBRUARY, 1835, IN THE FOURTH YEAR OF

WILLIAM THE FOURTH.

(Corrected to the First Day of Meeting.)

Abercromby, rt. hon. Jas.	*Edinburgh*
Acheson, viscount	*Armaghshire*
Adam, Charles	*Clackmannan*
Aglionby, Henry	*Cockermouth*
Agnew, sir Andrew, bt.	*Wigtonshire*
Ainsworth, Peter	*Bolton*
Alford, viscount	*Bedfordshire*
Alsager, Richard	*Surrey*
Alston, Rowland	*Hertfordshire*
Andover, viscount	*Malmesbury*
Angerstein, John	*Greenwich*
Anson, sir George	*Lichfield*
Arbuthnot, hon. H.	*Kincardineshire*
Archdall, Mervyn	*Fermanagh*
Ashley, lord	*Dorsetshire*
Astley, sir Jacob, bt.	*Norfolk*
Attwood, Matthias	*Whitehaven*
Attwood, Thomas	*Birmingham*
Bagot, hon. William	*Denbighshire*
Bagshaw, John	*Sudbury*
Bailey, Jos.	*Worcester*
Baillie, Hugh D.	*Honiton*
Bainbridge, Edward T.	*Taunton*
Baines, Edward	*Leeds*
Balfour, Thomas	*Orkney, &c.*
Bannerman, Alexander	*Aberdeen*
Barclay, David	*Sunderland*
Barclay, Charles	*Surrey*
Barham, John	*Kendal*
Baring, rt. hon. Alexander	*Essex*
Baring, Francis T.	*Portsmouth*
Baring, Henry B.	*Marlborough*
Baring, Francis	*Thetford*
Baring, William B.	*Winchester*
Baring, Thomas	*Yarmouth*
Barnard, Edward G.	*Greenwich*
Barneby, John	*Droitwich*
Barron, Henry W.	*Waterford*
Barry, Garret S.	*Cork Co.*
Bateson, sir R. bt.	*Londonderry Co.*
Beauclerk, Aubrey W.	*Surrey*
Beaumont, Thos. W.	*Northumberland*
Beckett, rt. hon. sir John	*Leeds*
Belfast, earl of	*Antrim*
Bell, Matthew	*Northumberland*
Bellew, Richard M.	*Louth*
Bellew, sir P.	*Louth*
Benett, John	*Wiltshire*
Bentinck, lord Geo.	*King's Lynn*
Beresford, sir John P.	*Chatham*
Berkeley, hon. F. F.	*Gloucester*
Berkeley, hon. Geo. C. G.	*Gloucestersh.*
Berkeley, hon. Craven F.	*Cheltenham*
Bernal, Ralph	*Rochester*
Bethell, Richard	*Yorkshire*
Bewes, Thomas	*Plymouth*
Biddulph, Robert	*Hereford*
Bish, Thomas	*Leominster*
Blackburne, John	*Huddersfield*
Blackburn, John J.	*Warrington*
Blackstone, William S.	*Wallingford*
Blake, Martin J.	*Galway Town*
Blamire, William	*Cumberland*
Blunt, sir Chas. R., bt.	*Lewes*
Bodkin, John J.	*Galway*
Boldero, Henry G.	*Chippenham*
Bolling, William	*Bolton*
Bonham, Fras. R.	*Harwich*
Borthwick, Peter	*Evesham*
Bowes, John	*Durham County*
Bowring, John	*Renfrew*
Brabazon, sir William J.	*Mayo*
Bradshaw, James	*Berwick*
Brady, Dennis C.	*Newry*
Branston, Thomas W.	*Essex*
Bridgeman, Hewitt	*Ennis*
Brocklehurst, John	*Macclesfield*
Brodie, William B.	*Salisbury*
Brotherton, Joseph	*Salford*
Browne, rt. hon. Dominick	*Mayo*
Brownrigg, John S.	*Boston*
Bruce, lord Ernest	*Marlborough*
Bruce, Charles L. C.	*Inverness*
Brudenell, lord	*Northamptonshire*
Bruen, Henry	*Carlow County*
Bruen, Francis	*Carlow Boro'*

Buckingham, James Silk	*Sheffield*
Bulkeley, sir R. B. W. bt.	*Anglesey*
Buller, Charles	*Liskeard*
Buller, Edward	*Staffordshire*
Buller, sir John B. Y.	*Devonshire*
Bulwer, Henry L.	*Marylebone*
Bulwer, Edward E. L.	*Lincoln*
Burdett, sir Francis, bt.	*Westminster*
Burdon, Will. W.	*Weymouth*
Burton, Henry	*Beverley*
Burrell, sir Chas. M., bt.	*New Shoreham*
Butler, hon. Pierce	*Kilkenny Co.*
Buxton, Thos. Fowell	*Weymouth*
Byng, George	*Middlesex*
Byng, rt. hon. sir J.	*Poole*
Calcraft, John H.	*Wareham*
Campbell, sir H. P. H. bt.	*Berwickshire*
Campbell, sir John	*Edinburgh*
Campbell, Walter F.	*Argyllshire*
Canning, rt. hon. sir S.	*King's Lynn*
Carruthers, D.	*Kingston-upon-Hull*
Carter, John B.	*Portsmouth*
Cartwright, Will. R.	*Northamptonsh.*
Castlereagh, visct.	*Downshire*
Cave, Robt. O.	*Tipperary*
Cavendish, hon. Chas. C.	*Sussex*
Cavendish, hon. G. H.	*Derbyshire*
Cayley, Edward S.	*Yorkshire*
Chalmers, Patrick	*Inverbervie*
Chandos, marquess of	*Bucks*
Chaplin, Thomas	*Stamford*
Chapman, Montague L.	*Westmeath*
Chapman, Aaron	*Whitby*
Charlton, Edm. L.	*Ludlow*
Chatterton, Jas. C.	*Cork*
Chetwynd, William F.	*Stafford*
Chichester, John P. B.	*Barnstaple*
Chichester, Arthur	*Honiton*
Churchill, lord C. S.	*Woodstock*
Clay, William	*Tower Hamlets*
Clayton, sir W. R., bt.	*Marlow*
Clements, viscount	*Leitrim Co.*
Clerk, sir George, bt.	*Edinburghshire*
Clive, Edward B.	*Hereford*
Clive, viscount	*Ludlow*
Clive, hon. Robert H.	*Shropshire*
Cobbett, William	*Oldham*
Cockerell, sir Charles, bt.	*Evesham*
Codrington, Christ. W.	*Gloucestershire*
Codrington, sir Edw. bt.	*Devonport*
Colborne, Nich. W. R.	*Wells*
Cole, hon. Arthur H.	*Enniskillen*
Cole, visct.	*Fermanagh*
Collier, John	*Plymouth*
Compton, Henry C.	*Hampshire*
Conolly, col. Edward M.	*Donegal*
Conyngham, lord A. D.	*Canterbury*
Cookes, Thomas H.	*Worcestershire*
Cooper, Edward J.	*Sligo Co.*
Cooper, hon. Ant. A. C.	*Dorchester*
Coote, sir Chas. H. bt.	*Queen's Co.*
Copeland, William T.	*Coleraine*
Corbett, Thos. G.	*Lincolnshire*
Corry, rt. hon. Henry T. L.	*Tyrone*
Cowper, hon. Will. F.	*Hertford*
Crawford, Will. S.	*Dundalk*
Crawford, William	*London*
Crawley, Samuel	*Bedford*
Crewe, sir Geo., bt.	*Derbyshire*
Cripps, Joseph	*Cirencester*
Crompton, Samuel	*Thirsk*
Curteis, Herbert B.	*Sussex*
Curteis, Edward B.	*Rye*
Dalbiac, sir J. C.	*Ripon*
Dalmeny, lord	*Stirling, &c.*
Damer, Geo. L. D.	*Portarlington*
Dare, Robert W. H.	*Essex*
Darlington, earl of	*Shropshire*
Davenport, John	*Stoke*
De Beauvoir, sir John E.	*Windsor*
Denison, Wm. Joseph	*Surrey*
Denison, John E.	*Nottinghamshire*
Denniston, Alex.	*Dumbartonshire*
Dick, Quintin	*Maldon*
Dillwyn, Lewis W.	*Glamorgan*
Divett, Edward	*Exeter*
Dobbin, Leonard	*Armagh*
Donkin, sir Rufane S.	*Berwick*
Dottin, Abel R.	*Southampton*
Dowdeswell, Will.	*Tewkesbury*
Duffield, Thomas	*Abingdon*
Dugdale, William S.	*Warwickshire*
Duncombe, Thomas S.	*Finsbury*
Duncombe, hon. W.	*Yorkshire*
Duncombe, hon. Arth.	*East Retford*
Dundas, hon. John C.	*Richmond*
Dundas, Rob. A.	*Ipswich*
Dundas, hon. Thos.	*Richmond*
Dunlop, Colin	*Glasgow*
Durham, sir Philip C. H.	*Devizes*
Dykes, Fretcheville	*Cockermouth*
East, Jas. B.	*Winchester*
Eastnor, visct.	*Reigate*
Eaton, Rich. J.	*Cambridgeshire*
Ebrington, visct.	*Devonshire*
Edwards, John	*Montgomery*
Egerton, William T.	*Cheshire*
Egerton, sir Phil. de M. G.	*Cheshire*
Egerton, rt. hon. lord F. L.	*Lancashire*
Ellice, rt. hon. Edward	*Coventry*
Elphinstone, Howard	*Hastings*
Entwistle, John	*Rochdale*
Estcourt, Thos. G. B.	*Oxford University*
Etwall, Ralph	*Andover*
Euston, earl of	*Thetford*
Evans, De Lacey	*Westminster*
Evans, George	*Dublin County*
Ewart, William	*Liverpool*

Fancourt, Charles St. John	*Barnstaple*
Fazakerley, John N. ..	*Peterborough*
Fector, John M.	*Dover*
Feilden, William ..	*Blackburn*
Fellowes, hon. Newton	*Devonshire*
Fergus, John	*Dysart*
Ferguson, sir Ronald C. ..	*Nottingham*
Ferguson, Sir Rob. A., bt.	*Londonderry*
Ferguson, Robert ..	*Haddingtonshire*
Ferguson, George	*Banffshire*
Fergusson, Robert C. ..	*Kirkcudbright*
Fielden, John	*Oldham*
Finch, George	*Stamford*
Finn, William F. ..	*Kilkenny Co.*
Fitz-Gibbon, hon. Rich.. .	*Limerick Co.*
Fitzroy, lord Chas. ..	*Bury St. Edm.*
Fitzsimon, Christopher..	*Dublin County*
Fitzsimon, Nicholas ..	*King's County*
Fleetwood, Peter H.	*Preston*
Fleming, John	*Hampshire*
Foley, Edward T. ..	*Herefordshire*
Folkes, sir Wm. J. H. B. bt. ..	*Norfolk*
Follett, sir Will. W. ..	*Exeter*
Forbes, Will.	*Stirlingshire*
Forbes, viscount	*Longford*
Forester, hon. G. C. W. ..	*Wenlock*
Forster, Chas. S.	*Walsall*
Fort, John	*Clitheroe*
Fox, Charles R.	*Stroud*
Freemantle, sir Thos. bt.	*Buckingham*
French, Fitzstephen ..	*Roscommon*
Freshfield, Jas. W. ..	*Penryn*
Gaskell, Daniel	*Wakefield*
Gaskell, James M.	*Wenlock*
Geary, sir W. R. P., bt. ..	*Kent*
Gillon, William D. ..	*Linlithgow, &c.*
Gisborne, Thomas	*Derbyshire*
Gladstone, William E. ..	*Newark*
Gladstone, Thomas ..	*Leicester*
Glynne, sir Stephen R., bt. ..	*Flint*
Goodricke, sir Fras. L., bt. ..	*Stafford*
Gordon, Robert	*Cricklade*
Gordon, hon. William ..	*Aberdeenshire*
Gore, Will. O.	*Salop*
Goring, Harry D. ..	*New Shoreham*
Goulburn, rt. hon. Henry	*Camb. Univ.*
Goulburn, Edward ..	*Leicester*
Graham, rt. hon. sir J. R. G.	*Cumberland*
Grant, right hon. Chas.	*Inverness-shire*
Grant, hon. Francis Wm. ..	*Elginshire*
Grattan, James	*Wicklow*
Grattan, Henry	*Meath*
Greene, Thomas	*Lancaster*
Greisley, sir Roger, bt. ..	*Derbyshire*
Greville, hon. sir Chas. J. ..	*Warwick*
Grey, sir George, bt. ..	*Devonport*
Grey, hon. Charles	*Wycombe*
Grimston, visct. ..	*Hertfordshire*
Grimston, hon. Edw. H. ..	*St. Alban's*
Grosvenor, lord Robert ..	*Chester*
Grote, George	*London*
Guest, Josiah J. ..	*Merthyr Tydvil*
Gully, John	*Pontefract*
Halford, Henry ..	*Leicestershire*
Hall, Benjamin	*Monmouth*
Hallyburton, hon. Dgls. G.	*Forfarsh.*
Halse, James	*St. Ives*
Hamilton, lord Claud.	*Tyrone County*
Handley, Henry ..	*Lincolnshire*
Hanmer, Henry	*Aylesbury*
Hanmer, sir John, bt. ..	*Shrewsbury*
Harcourt, George G. ..	*Oxfordshire*
Hardinge, rt. hon. sir H. ..	*Launceston*
Hardy, John	*Bradford*
Harland, William C. ..	*Durham*
Harvey, Daniel W. ..	*Southwark*
Hawes, Benjamin	*Lambeth*
Hawkes, Thomas	*Dudley*
Hawkins, J. H. ..	*Newport, I. of Wight*
Hay, sir John, bt. ..	*Peeblesshire*
Hay, Andrew L.	*Elgin, &c.*
Hayes, sir Edmund S., bt. ..	*Donegal*
Heathcoat, John	*Tiverton*
Heathcote, sir Gilbert, bt. ..	*Rutland*
Heathcote, Gilbert I. ..	*Lincolnshire*
Heathcote, Rich. E.	*Stoke-upon-Trent*
Hector, Corn. J.	*Petersfield*
Heneage, Edw.	*Grimsby*
Henniker, lord	*Suffolk*
Herbert, hon. Sidney ..	*Wiltshire*
Heron, sir Robert, bt. ..	*Peterborough*
Herries, rt. hon. John C. ..	*Harwich*
Hill, lord Arthur ..	*Down County*
Hill, sir Rowland, bt. ..	*Shropshire*
Hindley, Chas.	*Ashton*
Hobhouse, sir John, bt. ..	*Nottingham*
Hodges, Thomas L.	*Kent*
Hodges, Thomas T.	*Rochester*
Hogg, James W.	*Beverley*
Holland, Edw.	*Worcestershire*
Hope, hon. James ..	*Linlithgowshire*
Hope, Henry Thomas ..	*Gloucester*
Hoskins, Kedgwin ..	*Herefordshire*
Hotham, lord	*Leominster*
Houldsworth, Thos. ..	*Nottinghamsh.*
Howard, Ralph	*Wicklowshire*
Howard, hon. Edw. G. ..	*Morpeth*
Howard, Philip Henry ..	*Carlisle*
Howick, visct. ..	*Northumberland*
Hoy, James B.	*Southampton*
Hughes, Will. H.	*Oxford*
Hume, Joseph	*Middlesex*
Humphery, John	*Southwark*
Hurst, Robert H. ..	*Horsham*
Hutt, William	*Hull*
Jackson, Jos. D. ..	*Bandon Bridge*
Jephson, Charles D. O. ..	*Mallow*
Jermyn, earl ..	*Bury St. Edmund's*

Jervis, John	*Chester*
Ingham, Robert	*South Shields*
Inglis, sir Robert H., bt.	*Oxford Univ.*
Johnstone, sir J. V. B., bt.	*Scarborough*
Johnstone, John J. H.	*Dumfries-shire*
Johnston, Andrew	*Cupar, &c.*
Jones, Wilson	*Denbigh*
Jones, Theobald	*Londonderry Co.*
Irton, Samuel	*Cumberland*
Kavanagh, Thos.	*Carlow*
Kearsley, John H.	*Wigan*
Kelly, Fitzroy	*Ipswich*
Kemp, Thomas R.	*Lewes*
Kennedy, James	*Tiverton*
Kerrison, sir Edward, bt.	*Eye*
Ker, David	*Downpatrick*
Kerry, earl of	*Calne*
King, Edward B.	*Warwick*
Kirk, Peter	*Carrickfergus*
Knatchbull, sir Edward	*Kent*
Knightley, sir C., bt.	*Northamptonsh.*
Knox, hon. John J.	*Dungannon*
Labouchere, Henry	*Taunton*
Lambton, Hedworth	*Durham County*
Langton, William G.	*Somersetshire*
Lawson, And.	*Knaresboro'*
Leader, John Tem.	*Bridgewater*
Lee, John L.	*Wells*
Lefevre, Charles S.	*Hampshire*
Lefroy, Anthony	*Longford*
Lefroy, Thomas	*Dublin University*
Lemon, sir Charles, bt.	*Cornwall*
Lennard, Thomas B.	*Maldon*
Lennox, lord John George	*Sussex*
Lennox, lord Arthur	*Chichester*
Lewis, David	*Carmarthen*
Lewis, Wynd.	*Maidstone*
Leycester, Jos.	*Cork City*
Lincoln, earl of	*Nottinghamshire*
Lister, Ellis C.	*Bradford*
Littleton, rt. hon. E. J.	*Staffordsh.*
Loch, James	*Kirkwall, &c.*
Locke, Wadham	*Devizes*
Long, Walter	*Wiltshire*
Lopes, sir Ralph, bt.	*Westbury*
Lowther, hon. Henry C.	*Westmoreland*
Lowther, visct.	*Westmoreland*
Lowther, John H.	*York*
Lucas, Edw.	*Monaghan*
Lushington, Stephen	*Tower Hamlets*
Lushington, Chas.	*Ashburton*
Lygon, hon. Henry B.	*Worcestershire*
Lynch, Andrew H.	*Galway*
M'Cance, John	*Belfast*
Mackenzie, Jas. A. S.	*Ross-shire*
Mackinnon, Will. A.	*Lymington*
Maclean, Don.	*Oxford*
M'Leod, Roderick	*Sutherlandshire*
Macnamara, William N.	*Clare*
M'Taggart, John	*Wigton*
Maher, John	*Wexford County*
Mahon, visct.	*Hertford*
Mandeville, visct.	*Huntingdonshire*
Mangles, James	*Guildford*
Manners, lord Robert	*Leicestershire*
Marjoribanks, Stewart	*Hythe*
Marshall, Will.	*Carlisle*
Marsland, Henry	*Stockport*
Marsland, Thomas	*Stockport*
Martin, John	*Sligo*
Martin, Thomas	*Galway Co.*
Mathew, Geo. B.	*Athlone*
Maule, hon. Fox	*Perthshire*
Maxwell, Henry	*Cavan*
Maxwell, John	*Lanarkshire*
Methuen, Paul	*Wiltshire*
Meynell, Henry	*Lisburn*
Miles, William	*Somersetshire*
Miles, Phil. J.	*Bristol*
Miller, William H.	*Newcastle, Staff.*
Milton, visct.	*Northamptonshire*
Molesworth, sir Wm., bt.	*Cornwall*
Mordaunt, sir John, bt.	*Warwickshire*
Moreton, hon. Augustus H.	*Gloucestersh.*
Morgan, Chas. M. R.	*Brecon*
Morpeth, visct.	*Yorkshire*
Mosley, sir Oswald, bt.	*Staffordshire*
Mostyn, hon. Edw. M. L.	*Flintshire*
Mullins, Fred. W.	*Kerry*
Murray, rt. hon. John A.	*Leith, &c.*
Musgrave, sir Rich., bt.	*Waterford*
Nagle, sir Richard, bt.	*Westmeath*
Neeld, Joseph	*Chippenham*
Neeld, John	*Cricklade*
Nicholl, John	*Cardiff*
Noel, sir Gerard N., bart.	*Rutland*
Norreys, lord	*Oxfordshire*
North, Frederick	*Hastings*
O'Brien, Cornelius	*Clare*
O'Brien, Will. S.	*Limerick County*
O'Connell, Daniel	*Dublin*
O'Connell, John	*Youghall*
O'Connell, Maurice	*Tralee*
O'Connell, Morgan J.	*Kerry*
O'Connell, Morgan	*Meath*
O'Connor, Denis	*Roscommon*
O'Connor, Feargus	*Cork County*
O'Dwyer, Andrew C.	*Drogheda*
O'Farrell, Richard M.	*Kildare*
Oliphant, Laurence	*Perth*
O'Loghlen, Mich.	*Dungarvan*
O'Neil, hon. John Richd. B.	*Antrim Co.*
Ord, Will. H.	*Newport, Isle of Wight*
Ord, Will.	*Newcastle-upon-Tyne*
Ossulston, lord	*Northumberland*
Oswald, James	*Glasgow*
Oswald, Richard A.	*Ayrshire*
Owen, sir John, bt.	*Pembrokeshire*

Owen, Hugh O.	*Pembroke*
Paget, Frederick	*Beaumaris*
Palmer, Charles	*Bath*
Palmer, Robert	*Berkshire*
Parker, John	*Sheffield*
Parnell, rt. hon. sir H., bt.	*Dundee*
Parrott, Jasper	*Totness*
Parry, L. P. J.	*Carnarvon*
Patten, John W.	*Lancashire*
Pattison, Jas.	*London*
Pease, Joseph	*Durham County*
Pechell, Geo. R.	*Brighton*
Peel, rt. hon. sir Rob.	*Tamworth*
Peel, Jonathan	*Huntingdon*
Peel, Edm.	*Newcastle-under-L.*
Peel, rt. hon. Will. Y.	*Tamworth*
Pelham, John C.	*Shrewsbury*
Pelham, hon. Charles A. W.	*Lincolnsh.*
Pemberton, Thos.	*Ripon*
Pendarves, Edw. W. W.	*Cornwall*
Penruddocke, John H.	*Wilton*
Pepys, rt. hon. sir Chas. C., bt.	*Malton*
Perceval, Alexander	*Sligo Co.*
Perrin, Louis	*Cashell*
Philips, Mark	*Manchester*
Philips, George R.	*Kidderminster*
Phillips, Charles M.	*Leicestershire*
Pigot, Robert	*Bridgnorth*
Pinney, William	*Lyme Regis*
Plumptre, John P.	*Kent*
Polhill, Fred.	*Bedford*
Pollen, sir John W., bt.	*Andover*
Pollington, visct.	*Pontefract*
Pollock, sir Frederick	*Huntingdon*
Ponsonby, hon. Wm.	*Dorsetshire*
Ponsonby, hon. J. G. B.	*Derby*
Potter, Richard	*Wigan*
Poulter, John S.	*Shaftesbury*
Powell, W. Edward	*Cardiganshire*
Power, Jas.	*Wexford County*
Power, Patrick	*Waterford County*
Poyntz, William S.	*Midhurst*
Praed, Jas. B.	*Buckinghamshire*
Praed, W. M.	*Yarmouth*
Price, Sam. G.	*Sandwich*
Price, sir Robert, bart.	*Herefordshire*
Price, Richard	*New Radnor*
Pringle, Alex.	*Selkirkshire*
Pryme, George	*Cambridge*
Pryse, Pryse	*Cardigan*
Pusey, Philip	*Berkshire*
Rae, rt. hon. sir Wm., bt.	*Bute Co.*
Ramsbottom, John	*Windsor*
Ramsden, John C.	*Malton*
Reid, sir John R., bt.	*Dover*
Rice, rt. hon. T. Spring	*Cambridge*
Richards, John	*Knaresborough*
Rickford, William	*Aylesbury*
Ridley, sir M. W., bt.	*Newcastle-upon-T.*
Rippon, Cuthbert	*Gateshead*
Robarts, Abraham W.	*Maidstone*
Robinson, George R.	*Worcester*
Roche, William	*Limerick*
Roche, David	*Limerick*
Roebuck, John A.	*Bath*
Rolfe, Robert	*Penryn*
Ronayne, Dominick	*Clonmel*
Rooper, John B.	*Huntingdonshire*
Ross, Charles	*Northampton*
Rundle, John	*Tavistock*
Rushbrooke, Robt.	*Suffolk*
Russell, Charles	*Reading*
Russell, lord John	*Devonshire*
Russell, lord	*Tavistock*
Russell, lord Charles J. F.	*Bedfordshire*
Ruthven, Edward	*Kildareshire*
Ruthven, Edward S.	*Dublin*
Ryle, John	*Macclesfield*
Sanderson, Richard	*Colchester*
Sandon, viscount	*Liverpool*
Sanford, Edward A.	*Somersetshire*
Scarlett, Robt. C.	*Norwich*
Scholefield, Joshua	*Birmingham*
Scott, sir Edward D., bt.	*Litchfield*
Scott, James W.	*Hampshire*
Scott, lord John	*Roxburghshire*
Scourfield, Will. H.	*Haverfordwest*
Scrope, George P.	*Stroud*
Seale, John Henry	*Dartmouth*
Seymour, lord	*Totness*
Sharpe, Matthew	*Dumfries, &c.*
Shaw, Frederick	*Dublin University*
Sheil, Richard L.	*Tipperary*
Sheldon, Edw. R. C.	*Warwickshire*
Sheppard, Thomas	*Frome*
Sibthorp, Chas. D. W.	*Lincoln*
Simeon, sir Rich. G., bt.	*I. of Wight*
Sinclair, George	*Caithness*
Smith, John Abel	*Chichester*
Smith, hon. Robert J.	*Wycombe*
Smith, Robert V.	*Northampton*
Smith, Thomas A.	*Carnarvonshire*
Smith, Abel	*Hertfordshire*
Smith, Benj.	*Sudbury*
Smyth, sir Geo. H.	*Colchester*
Somerset, lord R. E. H.	*Cirencester*
Somerset, lord Gran. C. H.	*Monmouthsh.*
Speirs, Alex.	*Richmond*
Speirs, Alex. G.	*Paisley*
Spry, sir Samuel T.	*Bodmin*
Stanley, Edward John	*Cheshire*
Stanley, lord	*Lancashire*
Stanley, hon. Henry T.	*Preston*
Stanley, Edward	*Cumberland*
Steuart, Robert	*Haddington, &c.*
Stewart, John	*Lymington*
Stewart, sir Michael S., bt.	*Renfrewsh.*
Stewart, Patrick M.	*Lancaster*

Stormont, visct.	*Norwich*
Strickland, sir Geo., bt.	*Yorkshire*
Strutt, Edward	*Derby*
Stuart, lord Dudley C.	*Arundel*
Stuart, lord Pat. J. H. C.	*Ayr, &c.*
Sturt, Hen. C.	*Dorsetshire*
Sullivan, Richard	*Kilkenny*
Surrey, earl of	*Sussex*
Talbot, Christ. R. M.	*Glamorganshire*
Talbot, John H.	*New Ross*
Talfourd, Thos. N.	*Reading*
Talmash, hon. Algernon	*Grantham*
Tancred, Henry W.	*Banbury*
Tapps, George W.	*Christchurch*
Tennent, James E.	*Belfast*
Tennyson, rt. hon. Charles	*Lambeth*
Thomas, col. Henry	*Kinsale*
Thompson, Paul B.	*Yorkshire*
Thompson, William	*Sunderland*
Thomson, rt. hon. Chas. P.	*Manchester*
Thornley, Thos.	*Wolverhampton*
Tooke, William	*Truro*
Townley, Richard G.	*Cambridgesh.*
Townshend, rt. hn. ld. J. N. B.	*Halleston*
Tracy, Charles H.	*Tewksbury*
Trelawney, sir W. L. S., bt.	*Cornwall*
Trench, sir Fred. W.	*Scarboro'*
Trevor, hon. A.	*Durham*
Trevor, hon. Geo. R.	*Caermarthenshire*
Trowbridge, sir E. T., bt.	*Sandwich*
Tulk, Chas. A.	*Poole*
Turner, William	*Blackburn*
Turner, Thos. F.	*Leicestershire*
Twiss, Horace	*Bridport*
Tynte, Charles Kemys	*Bridgewater*
Tynte, Charles J. K.	*Somersetshire*
Tyrell, sir John T., bt.	*Essex*
Vaughan, sir Robt. W. bt.	*Merionethsh.*
Vere, col. sir Chas. B.	*Suffolk*
Verner, William	*Armagh Co.*
Verney, sir Harry, bt.	*Buckingham*
Vernon, Granville H.	*East Retford*
Vesey, hon. Thos.	*Queen's County*
Villiers, Chas. P.	*Wolverhampton*
Villiers, Fred.	*Canterbury*
Vivian, Chas. C.	*Bodmyn*
Vivian, John E.	*Truro*
Vivian, John H.	*Swansea*
Vyvyan, sir Richard R., bt.	*Bristol*
Wakley, Thomas	*Finsbury*
Walker, Charles A.	*Wexford*
Walker, Richard	*Bury*
Wall, Charles B.	*Guildford*
Wallace, Robert	*Greenock*
Walpole, lord	*Norfolk*
Walter, John	*Berkshire*
Warburton, Henry	*Bridport*
Ward, Henry G.	*St. Alban's*
Welby, Glynne E.	*Grantham*
Wemyss, James	*Fife*
Westenra, hon. H. R.	*Monaghan*
Westenra, hon. J. C.	*King's County*
Weyland, Richard	*Oxfordshire*
Whalley, sir Sam. S. B.	*Marylebone*
White, Samuel	*Leitrim Co.*
Whitmore, Thomas C.	*Bridgnorth*
Wigney, Isaac N.	*Brighton*
Wilbraham, George	*Cheshire*
Wilbraham, hon. Rich. B.	*Lancashire*
Wilde, Thos.	*Newark*
Wilkins, Walter	*Radnorshire*
Wilks, John	*Boston*
Williams, Robert	*Dorchester*
Williams, Thomas Peers	*Marlow*
Williams, William A.	*Monmouthsh.*
Williams, Will.	*Coventry*
Williams, sir James	*Carmarthen*
Williamson, sir Hedw., bt.	*Durham Co.*
Wilmot, sir John E., bt.	*Warwickshire*
Wilson, Henry	*Suffolk*
Winnington, sir Thos., bt.	*Bewdley*
Winnington, Henry J.	*Worcestershire*
Wodehouse, Edm.	*Norfolk*
Wood, Charles	*Halifax*
Wood, Matthew	*London*
Wood, Thomas	*Breconshire*
Worcester, marq. of	*Gloucestershire*
Wortley, hon. Jas. S.	*Halifax*
Wrightson, Will. B.	*Northallerton*
Wrottesley, sir John, bt.	*Staffordshire*
Wyndham, Wadham	*Salisbury*
Wynn, rt. hon. C. W. W.	*Montgomerysh.*
Wynn, sir Watkin W. bt.	*Denbighshire*
Wyse, Thos.	*Waterford City*
Yorke, Elliot. Thos.	*Cambridgeshire*
Young, George F.	*Tynemouth*
Young, John	*Cavan*
Young, sir Will. L.	*Buckinghamshire*

SPEAKER,

The Right Hon. James Abercromby.

HOUSE OF COMMONS,

IN ALPHABETICAL ORDER OF COUNTIES, BOROUGHS, &c.

ENGLAND AND WALES.

Abingdon.
V. Thomas Duffield.

Andover.
Ralph Etwall,
Sir John W. Pollen, bart.

Anglesey.
Sir R. B. W. Bulkeley, bt.

Arundel.
Lord Dudley C. Stuart.

Ashburton.
C. Lushington.

Ashton-under-Line.
Charles Hindley.

Aylesbury.
William Rickford,
Lieut.-col. W. H. Hanmer.

Banbury.
Henry Wm. Tancred.

Barnstaple.
John P. Bruce Chichester,
Chas. St. John Fancourt.

Bath.
General Charles Palmer,
John Arthur Roebuck.

Beaumaris.
Captain Frederick Paget.

Bedfordshire.
Lord C. J. Fox Russell,
Lord Viscount Alford.

Bedford.
Capt. Frederick Polhill,
Samuel Crawley.

Berkshire.
Robert Palmer,
Philip Pusey,
John Walter.

Berwick-upon-Tweed.
Sir R. S. Donkin, K. C. B.
J. Bradshaw.

Beverley.
Henry Burton,
J. W. Hogg.

Bewdley.
Sir T. E. Winnington, bt.

Birmingham.
Thomas Attwood,
Joshua Scholefield.

Blackburn.
William Turner,
William Feilden.

Bodmyn.
Major Vivian,
Sir Samuel Thomas Spry.

Bolton-le-Moors.
William Bolling,
C. Ainsworth.

Boston.
J. S. Brownrigg,
John Wilks.

Bradford.
Ellis Cunliffe Lister,
John Hardy.

Breconshire.
Colonel Thomas Wood.

Brecon.
C. M. R. Morgan.

Bridgenorth.
Thos. Charlton Whitmore,
Robert Pigot.

Bridgewater.
Chas. K. Kemeys Tinte,
J. Temple Leader.

Bridport.
Henry Warburton,
Horace Twiss.

Brighton.
Capt. Sir H. Pechell, bart.
Isaac Newton Wigney.

Bristol.
Sir R. Rawl. Vyvyan, bt.
P. J. Miles.

Buckinghamshire.
Marquess of Chandos,
Sir William Young,
J. P. Praed.

Buckingham.
Sir Thomas Fremantle, bt.
Sir Harry Verney, bart.

Bury.
Richard Walker.

Bury St. Edmunds.
Earl Jermyn,
Lord Charles Fitzroy.

Calne.
Earl of Kerry.

Cambridgeshire.
Eliot Thomas Yorke,
Richard Jefferson Eaton,
Richard Greaves Townley.

Cambridge.
Rt. hon. Thos. Spring Rice,
George Pryme.

Cambridge University.
Rt. hon. Henry Goulburn,

Canterbury.
Lord Albert Conyngham,
Frederick Villiers.

Cardiff.
John Nicholl.

Cardiganshire.
Col. William Edw. Powell.

Cardigan.
Pryse Pryse.

Carlisle.
Philip Henry Howard,
William Marshall.

Carmarthenshire.
Hon. G. Rice Trevor,
Sir James Williams, bart.

Carmarthen.
David Lewis.

Carnarvonshire.
Thos. Assheton Smith.

Carnarvon.
Colonel Parry.

Chatham.
SirJ.P.Beresford,bt.K.C.B.

Cheltenham.
Hon. Craven F. Berkeley.

Cheshire.
(Northern Division.)
Edward John Stanley,
William Tatton Egerton.
(Southern Division.)
George Wilbraham,
SirP.deMalp.G.Egerton,bt.

Chester.
Lord Robert Grosvenor,
John Jervis.

CHICHESTER.
Lord Arthur Lennox,
John Abel Smith.

CHIPPENHAM.
Joseph Neeld,
Henry George Boldero.

CHRISTCHURCH.
George William Tapps.

CIRENCESTER.
Joseph Cripps.
Lord E. Somerset.

CLITHERO.
John Fort.

COCKERMOUTH.
T. L. B. Dykes,
Henry Aglionby Aglionby.

COLCHESTER.
Richard Sanderson,
Sir G. H. Smith, bt.

CORNWALL.
(Eastern Division.)
Sir Wm. Molesworth, bart.,
Wm. Lewis S. Trelawny.
(Western Division.)
Sir Chas. Lemon, bart.,
Edward W. W. Pendarves.

COVENTRY.
William Williams,
Rt. Hon. Edward Ellice.

CRICKLADE.
Robert Gordon,
John Neeld.

CUMBERLAND.
(Eastern Division.)
Rt.hon. Sir J. G. Graham, bt.
William Blamire.
(Western Division.)
Edward Stanley,
Samuel Irton.

DARTMOUTH.
John Henry Scale.

DENBIGHSHIRE.
Sir W. W. Wynn,
Hon. W. Bagot.

DENBIGH.
Wilson Jones.

DERBYSHIRE.
(Northern Division.)
Hon. G. Cavendish,
Thomas Gisborne.
(Southern Division.)
Sir Roger Griesley, bt.
Sir George Crewe, bt.

DERBY.
Edward Strutt,
Hon. C. Ponsonby.

DEVIZES.
Wadham Locke,
Adm. Sir Philip Durham.

DEVONPORT.
Sir Edward Codrington,
Sir George Grey, bart.

DEVONSHIRE.
(Northern Division.)
Hon. Newton Fellowes,
Viscount Ebrington.
(Southern Division.)
Rt. hon. Lord John Russell,
Sir J. Y. Buller, bt.

DORCHESTER.
Hon. A. H. Ashley-Cooper,
Robert Williams.

DORSETSHIRE.
Lord Ashley,
Hon. W. F. S. Ponsonby,
H. C. Sturt.

DOVER.
Sir John Rae Reid, bart.
Minet Fector.

DROITWICH.
John Barneby.

DUDLEY.
Thomas Hawkes.

DURHAM.
(Northern Division.)
Sir H. Williamson, bart.
Hedworth Lambton.
(Southern Division.)
Joseph Pease, jun.
John Bowes.

DURHAM.
Will. Chas. Harland,
Hon. A. Trevor.

EAST RETFORD.
G. Harcourt Vernon,
Hon. A. Duncombe.

ESSEX.
(Northern Division.)
Sir John Tyssen Tyrell, bt.
Alexander Baring.
(Southern Division.)
Robert Westley Hall Dare,
T. W. Bramston.

EVESHAM.
Sir Chas. Cockerell, bart.,
P. Bothwick.

EXETER.
Sir W. W. Follett, knt.
Edward Divet.

EYE.
Sir Edward Kerrison, bart.

FINSBURY.
Thos. Slingsby Duncombe,
Thomas Wakley.

FLINTSHIRE.
Hon. E. M. Lloyd Mostyn.

FLINT.
Sir Stephen R. Glynne, bt.

FROME.
Thomas Sheppard.

GATESHEAD.
Cuthbert Rippon.

GLAMORGANSHIRE.
Christopher R. M. Talbot,
Lewis W. Dillwyn.

GLOUCESTERSHIRE.
(Eastern Division.)
Hon. Henry G. F. Moreton,
C. W. Codrington.
(Western Division.)
Hon. G. C. G. Berkeley,
Marquess of Worcester.

GLOUCESTER.
Henry Thomas Hope,
Captain Maurice Berkeley.

GRANTHAM.
Glynne Earle Welby,
Hon. Algernon G. Talmash.

GREAT GRIMSBY.
E. Heneage.

GREENWICH.
Edward George Barnard,
J. Angerstein.

GUILDFORD.
James Mangles,
Charles Baring Wall.

HALIFAX.
Charles Wood,
Hon. J. Stuart Wortley.

HAMPSHIRE.
(Northern Division.)
Charles Shawe Lefevre,
James Winter Scott.
(Southern Division.)
John Willis Fleming,
H. C. Compton.

HARWICH.
Rt. hon. J. C. Herries,
F. R. Bonham.

HASTINGS.
Frederick North,
Howard Elphinston.

HAVERFORDWEST.
W. H. Scourfield.

HELSTON.
Lord James Townsend.

HEREFORDSHIRE.
Kedgwin Hoskins,
Edward T. Foley,
Sir Robert Price, bart.

HEREFORD.
Edward Bolton Clive,
Robert Biddulph.

HERTFORDSHIRE.
Lord Viscount Grimston,
Abel Smith,
Rowland Ashton,

Hertford.
Lord Viscount Mahon,
Hon. W. Cowper.

Honiton.
A. Chichester,
Colonel Bailey.

Horsham.
Robert Henry Hurst.

Huddersfield.
John Blackburne.

Huntingdonshire.
Viscount Mandeville,
John Bonfoy Rooper.

Huntingdon.
Jonathan Peel,
Frederick Pollock.

Hythe.
Stewart Marjoribanks.

Ipswich.
R. A. Dundas,
Fitzroy Kelly.

Kendal.
James Barham.

Kent.
(Eastern Division.)
Sir Edw. Knatchbull, bart.,
John Pemberton Plumptre.
(Western Division.)
Sir W. Geary, bt.
Thomas Law Hodges.

Kidderminster.
G. R. Phillips.

King's Lynn.
Hon. Ld. G. F. C. Bentinck,
Rt. hon. Sir S. Canning.

Kingston-upon-Hull.
D. Carruthers,
William Hutt.

Knaresborough.
Andrew Lawson,
John Richards.

Lambeth.
Rt. Hon. Chas. Tennyson,
Benjamin Hawes, jun.

Lancashire.
(Northern Division.)
Rt. hon. Ed. G. S. Stanley,
John Wilson Patten.
(Southern Division.)
Lord Francis Egerton,
Hon. R. B. Wilbraham.

Lancaster.
Thomas Greene,
Patrick Maxwell Stewart.

Launceston.
Rt. hon. Sir H. Hardinge.

Leeds.
Rt. hon. Sir John Beckett,
Edward Baines.

Leicestershire.
(Northern Division.)
Lord Robert W. Manners,
Chas. March Phillips.
(Southern Division.)
Henry Halford,
Frewen Turner.

Leicester.
Sergeant Goulburn,
Thomas Gladstone.

Leominster.
Rt. hon. Lord Hotham,
Thomas Bish.

Lewes.
Sir Chas. Richard Blunt,
Thomas Read Kemp.

Lichfield.
Sir George Anson,
Sir Edward D. Scott.

Lincolnshire.
(Parts of Lindsey.)
Hon. C. A. W. Pelham,
T. Corbett.
(Parts of Kesteven and Holland.)
Henry Handley,
Gilbert John Heathcote.

Lincoln.
Colonel Sibthorp,
Edward G. E. L. Bulwer.

Liskeard.
Charles Buller, jun.

Liverpool.
William Ewart,
Viscount Sandon.

London.
Matthew Wood,
James Pattison,
William Crawford,
George Grote.

Ludlow.
Viscount Clive,
Lechmere Charlton.

Lyme Regis.
William Pinney.

Lymington.
John Stewart,
W. A. Mackinnon.

Macclesfield.
John Ryle,
John Brocklehurst, jun.

Maidstone.
Wyndham Lewis,
Abraham W. Robarts.

Maldon.
Quintin Dick,
Thos. Barrett Lennard.

Malmesbury.
Viscount Andover.

Malton.
Charles C. Pepys,
J. C. Ramsden.

Manchester.
R. hon. C. P. Thomson,
Mark Phillips.

Marlborough.
Lord E. A. C. B. Bruce,
Henry B. Baring.

Great Marlow.
Sir W. Clayton, bt.
Thomas Peers Williams.

Marylebone.
Sir S. Whalley, knt.
H. L. Bulwer.

Merionethshire.
Sir Robert W. Vaughan, bt.

Merthyr Tydvil.
Josiah John Guest.

Middlesex.
George Byng,
Joseph Hume.

Midhurst.
W. S. Poyntz.

Monmouthshire.
Right hon. Lord G. C. H. Somerset,
Wm. Addams Williams.

Monmouth.
Benjamin Hall.

Montgomeryshire.
Rt. hon. C. W. W. Wynn.

Montgomery.
John Edwardes.

Morpeth.
Hon. E. G. Howard.

Newark-upon-Trent.
Wm. Ewart Gladstone,
Sergeant Wilde.

Newcastle-under-Line.
William Henry Miller,
Edmund Peel.

Newcastle-upon-Tyne.
W. Ord,
Sir Matthew W. Ridley.

Newport.
John Heywood Hawkins,
Wm. Henry Ord.

Norfolk.
(Eastern Division.)
Edmund Wodehouse,
Lord Walpole.
Western Division.
Sir W. J. H. B. Folkes, bt.
Sir Jacob Astley, bart.

Northallerton.
W. B. Wrightson.

Northamptonshire.
(Northern Division.)
Viscount Milton,
Lord Brudenell.
(Southern Division.)
William R. Cartwright,
Sir C. Knightley.

Northampton.
Robert Vernon Smith,
Charles Ross.

Northumberland.
(Northern Division.)
Viscount Howick,
Lord Ossulston.
(Southern Division.)
Matthew Bell,
Thomas W. Beaumont.

Norwich.
Viscount Stormont,
Hon. R. C. Scarlett.

Nottinghamshire.
(Northern Division.)
Viscount Lumley,
Thomas Houldsworth.
(Southern Division.)
Earl of Lincoln,
John Evelyn Denison.

Nottingham.
Sir R. Crawford Ferguson,
Sir J. C. Hobhouse.

Oldham.
John Fielden,
William Cobbett.

Oxfordshire.
Lord Norreys,
George Granville Harcourt,
Richard Weyland.

Oxford, City.
W. Hughes Hughes,
Donald Maclean.

Oxford University.
Thomas G. B. Estcourt,
Sir R. Harry Inglis.

Pembrokeshire.
Sir John Owen, bart.

Pembroke.
Hugh Owen Owen.

Penryn and Falmouth.
J. W. Freshfield,
Robert Monsey Rolfe.

Peterborough.
Sir Robert Heron, bart.
John Nicholas Fazakerley.

Petersfield.
C. Hector.

Plymouth.
John Collier,
Thomas Bewes.

Pontefract.
John Gully,
Lord Pollington.

Poole.
Right hon. sir John Byng,
C. A. Tulk.

Portsmouth.
John Bonham Carter,
Francis Thornhill Baring,

Preston.
Peter Hesketh Fleetwood,
Hon. Henry Thos. Stanley.

Radnorshire.
Walter Wilkins.

New Radnor.
Richard Price.

Reading.
Sergeant Talfourd,
Charles Russell.

Reigate.
Viscount Eastnor.

Richmond.
Hon. John Chas. Dundas,
A. Spiers.

Ripon.
Sir C. Dalbiac,
F. Pemberton.

Rochdale.
J. Entwistle.

Rochester.
Ralph Bernal,
Twisden Hodges.

Rutlandshire.
Sir Gerard Noel, bart.
Sir Gilbert Heathcote, bart.

Rye.
Edward Barrett Curteis.

Salford.
Joseph Brotherton.

Salisbury.
William Bird Brodie,
Wadham Wyndham.

Salop, or Shropshire.
(Northern Division.)
Sir Rowland Hill, bart.
W. O. Gore.
(Southern Division.)
Earl of Darlington,
Hon. Robert H. Clive.

Sandwich.
S. G. Price,
Sir Edward T. Troubridge.

Scarborough.
Col. Sir F. Trench,
Sir John V. B. Johnstone.

Shaftesbury.
John Sayer Poulter.

Sheffield.
John Parker,
James Silk Buckingham.

Shoreham.
Sir Chas. Merrick Burrell
Harry Dent Goring.

Shrewsbury.
Sir John Hanmer, bart.,
J. Cressett Pelham.

Somersetshire.
(Eastern Division.)
William Gore Langton,
W. Miles.
(Western Division.)
Edward A. Sanford,
Charles John K. Tynte.

Southampton.
James Barlow Hoy,
A. R. Dottin.

South Shields.
Robert Ingham.

Southwark.
John Humphery,
D. W. Harvey.

Staffordshire.
(Northern Division.)
Sir Oswald Moseley, bart.
Edward Buller.
(Southern Division.)
Sir John Wrottesley, bart.,
Edward John Littleton.

Stafford.
F. Holyoake Goodricke,
Wm. Fawkener Chetwynd.

Stamford.
Thomas Chaplin,
George Finch.

St. Alban's.
Hon. E. H. Grimston,
Henry G. Ward.

St. Ives.
James Halse.

Stockport.
Thomas Marsland,
Henry Marsland.

Stoke-upon-Trent.
R. E. Heathcote,
John Davenport.

Stroud.
G. P. Scrope,
Colonel Fox.

Sudbury.
J. Bagshaw,
B. Smith.

Suffolk.
(Eastern Division.)
Lord Henniker,
Sir C. B. Vere.

(*Western Division.*)
Colonel Rushbrooke,
H. Wilson.
Sunderland.
Alderman Thompson,
D. Barclay.
Surrey.
(*Eastern Division.*)
Captain Alsager,
Aubrey Wm. Beauclerk.
(*Western Division.*)
Wm. Joseph Denison,
C. Barclay.
Sussex.
(*Eastern Division.*)
Hon. Chas. C. Cavendish,
Herbert Barrett Curteis.
(*Western Division.*)
Lord John G. Lennox.
Earl of Surrey.
Swansey.
John Henry Vivian.
Tamworth.
Sir Robert Peel,
W. Yates Peel.
Tavistock.
Lord Russell,
J. Rundle.
Taunton.
Edward Thos. Bainbridge,
Henry Labouchere.
Tewkesbury.
W. Dowdeswell,
Chas. Hanbury Tracy.
Thetford.
Earl of Euston,
Francis Baring.
Thirsk.
Samuel Crompton.
Tiverton.
John Heathcote,
James Kennedy.
Totness.
Lord Seymour,
Jasper Parrot.
Tower Hamlets.
William Clay,
Stephen Lushington.
Truro.
Ennis Vivian,
William Tooke.
Tynemouth.
George Frederick Young.
Wakefield.
Daniel Gaskell.
Wallingford.
William S. Blackstone.
Walsall.
Chas. Smith Forster.
Wareham.
John Hales Calcraft.
Warrington.
Ireland Blackburne.
Warwickshire.
(*Northern Division.*)
Sir John Eardley Wilmot,
D. Stratford Dugdale.
(*Southern Division.*)
Sir J. Mordaunt, bt.
E. Shelden.
Warwick.
Hon. Sir C. J. Greville,
Edward Bolton King.
Wells.
John Lee Lee,
N. Ridley Colborne.
Wenlock.
Hon. G. C. W. Forester,
James Milnes Gaskell.
Westbury.
Sir Ralph Lopes, bart.
Westminster.
Sir Francis Burdett, bart.
Colonel Evans.
Westmoreland.
Viscount Lowther,
Hon. Henry Cecil Lowther.
Weymouth.
Thomas Fowell Buxton,
W. W. Burdon.
Whitby.
Aaron Chapman.
Whitehaven.
Matthias Attwood.
Wigan.
J. H. Kearsley,
Richard Potter.
Isle of Wight.
Sir Richard Godin Simeon.
Wilton.
John H. Penruddocke.
Wiltshire.
(*Northern Division.*)
Paul Methuen,
Walter Long.
(*Southern Division.*)
John Benett,
Hon. Sidney Herbert.
Winchester.
William Bingham Baring,
Windsor.
John Ramsbottom,
Sir J. E. Beauvoir.
Wolverhampton.
Thomas Thornely,
C. Villiers,
Woodstock.
Lord C. S. Churchill.
Worcestershire.
(*Eastern Division.*)
E. Holland,
Thomas Henry Cookes.
(*Western Division.*)
Hon. Henry B. Lygon,
H. J. Winnington.
Worcester.
Geo. R. Robinson,
J. Bailey.
Wycombe.
Hon. Robert John Smith,
Hon. Charles Grey.
Yarmouth.
W. M. Praed,
B. Baring.
Yorkshire.
(*North Riding.*)
Hon. Wm. Duncombe,
Edward S. Cayley.
(*East Riding.*)
Richard Bethell,
Paul Beilby Thomson.
(*West Riding.*)
Viscount Morpeth,
Sir G. Strickland, bt.
York.
Hon. T. Dundas,
J. H. Lowther.

SCOTLAND.

Aberdeenshire.
Hon. Wm. Gordon.
Aberdeen.
Alexander Bannerman.
Argyleshire.
W. Campbell.
Ayrshire.
Richard Alex. Oswald.
Ayr, &c.
Lord P. J. Stuart.
Banfshire.
George Ferguson.
Berwickshire.
Sir H. P. Campbell.
Buteshire.
Sir William Rae, bt.
Caithness-shire.
George Sinclair.
Clackmanan and Kinros-shires.
Charles Adam.
Dumbartonshire.
A. Dennistoun,

Dumfries-shire.
John James H. Johnstone.
Dumfries, &c.
Matthew Sharpe.
Dundee.
Rt. hon. Sir H. Parnell, bt.
Edinburghshire.
Sir George Clerk, bt.
Edinburgh.
Rt. hon. Jas. Abercromby,
Sir John Campbell.
Elginshire.
Hon. Francis W. Grant.
Elgin, &c.
Andrew Leith Hay.
Falkirk, &c.
W. D. Gillon.
Fifeshire.
James Wemyss.
Forfarshire.
Hon. D. G. Haliburton.
Glasgow.
James Oswald,
Colin Dunlop.
Greenock.
Robert Wallace.
Haddingtonshire.
Robert Ferguson.
Haddington, &c.
Robert Stewart.
Inverness-shire.
Rt. hon. Chas. Grant.
Inverness, &c.
Cumming Bruce.
Kilmarnock, &c.
John Bowring.
Kincardineshire.
Hon. Hugh Arbuthnot.
Kirkaldy, &c.
J. Fergus.
Kirkcudbright.
Rt. hon. R. C. Fergusson.
Lanarkshire.
John Maxwell.
Leith, &c.
Rt. hon. J. A. Murray.
Linlithgowshire.
Hon. Captain Hope.
Montrose, &c.
P. Chalmers.
Orkney.
James Balfour.
Paisley.
A. G. Speirs.
Peebleshire.
Sir John Hay, bart.
Perthshire.
Fox Maule.
Perth.
Laurence Oliphant.
Renfrewshire.
Sir M. S. Stewart, bart.
Ross and Cromarty-shires.
S. Mackenzie.
Roxburghshire.
Lord John Scott.
St. Andrew's, &c.
Andrew Johnstone.
Selkirkshire.
A. Pringle.
Stirlingshire.
William Forbes.
Stirling, &c.
Lord Dalmeny.
Sutherlandshire.
Roderick Macleod.
Wick, &c.
James Loch.
Wigtonshire.
Sir Andrew Agnew, bart.
Wigton, &c.
J. Mactaggart.

IRELAND.

Antrimshire.
General O'Neil,
Earl of Belfast.
Armaghshire.
Wm. Verner,
Viscount Acheson.
Armagh.
Leonard Dobbin.
Athlone.
Captain Matthew.
Bandon-Bridge.
J. D. Jackson.
Belfast.
James Emerson Tennent,
J. M‘Cance.
Carlowshire.
Colonel Bruen,
T. Kavanagh.
Carlow.
Francis Bruen.
Carrickfergus.
P. Kirke.
Cashell.
Sergeant Perrin.
Cavanshire.
Henry Maxwell,
John Young.
Clare.
Wm. Nugent M‘Namara,
Charles O'Brien.
Clonmel.
Dominick Ronayne.
Coleraine.
Alderman Copeland.
Corkshire.
Feargus O‘Connor.
G. Samuel Barry.
Cork City.
Colonel Chatterton,
R. Leycester.
Donegalshire.
Sir Edmund S. Hayes, bt.
Colonel Conolly.
Downshire.
Lord Arthur Hill.
Viscount Castlereagh.
Downpatrick.
D. Kerr.
Drogheda.
Andrew C. O'Dwyer.
Dublinshire.
Christopher Fitzsimon,
George Evans.
Dublin City.
Daniel O'Connell,
Edward Southwell Ruthven.
Dublin University.
Thomas Lefroy,
Frederick Shaw.
Dundalk.
Sharman Crawford.
Dungannon.
Hon. C. Knox.
Dungarvan.
Sergeant O'Loughlin.
Ennis.
Hewitt Bridgman.
Enniskillen.
Hon. Arthur Henry Cole.
Fermanaghshire.
Mervyn Archdall,
Viscount Cole.
Galwayshire.
Thomas B. Martin,
J. J. Bodkin.
Galway.
A. H. Lynch,
Kerryshire.
Morgan John O'Connell,
Frederick William Mullins.
Kildareshire.
E. Ruthven, jun.
More O'Ferrall.

Kilkennyshire.
Hon. Colonel Butler,
William Francis Finn.

Kilkenny.
Richard Sullivan.

King's County.
Nicholas Fitzsimon,
Hon. J. C. Westenra.

Kinsale.
Colonel Thomas.

Leitrim.
Lord Clements,
Samuel White.

Limerickshire.
Hon. R. Hob. Fitzgibbon,
W. S. O'Brien.

Limerick.
William Roche,
David Roche.

Lisburn.
Captain Henry Meynell.

Londonderryshire.
Sir Robert Bateson, bart.
Captain Jones.

Londonderry.
Sir Robert A. Ferguson, bt.

Longfordshire.
Lord Viscount Forbes,
A. Lefroy.

Louthshire.
P. Bellew,
M. Bellew.

Mallow.
C. D. O. Jephson.

Mayo.
Sir W. Brabazon, bart.
Dominick Browne.

Meathshire.
Henry Grattan,
Morgan O'Connell.

Monaghan.
E. Lucas,
Hon. H. R. Westenra.

Newry.
D. C. Brady.

New Ross.
John Hyacinth Talbot.

Portarlington.
Colonel Dawson Damer.

Queen's County.
Sir Chas. Henry Coote, bt.
Thomas Vesey.

Roscommonshire.
Fitzstephen French,
Don O'Conor.

Sligoshire.
Alexander Perceval,
Edward Joshua Cooper.

Sligo.
John Martin.

Tipperary.
Richard Lawlor Sheil,
R. Otway Cave.

Tralee.
Maurice O'Connell.

Tyroneshire.
Lord C. Hamilton,
Henry Corry.

Waterfordshire.
Sir R. Musgrave,
R. Power.

Waterford City.
H. W. Barron,
Thomas Wyse.

Westmeath.
Sir Richard Nagle, bart.
Montague L. Chapman.

Wexfordshire.
J. Maher,
J. Power.

Wexford.
Charles Arthur Walker.

Wicklowshire.
James Grattan,
Ralph Howard.

Youghall.
John O'Connell.

The NUMBER of MEMBERS sent by each County, &c. to Parliament.

Bedfordshire	4
Berkshire	9
Buckinghamshire	11
Cambridgeshire	7
Cheshire	10
Cornwall	14
Cumberland	9
Derbyshire	6
Devonshire	22
Dorsetshire	14
Durham	10
Essex	10
Gloucestershire	13
Hampshire	19
Herefordshire	7
Hertfordshire	7
Huntingdonshire	4
Kent	18
Lancashire	26
Leicestershire	6
Lincolnshire	13
Middlesex	14
Monmouthshire	3
Norfolk	12
Northamptonshire	8
Northumberland	10
Nottinghamshire	10
Oxfordshire	9
Rutlandshire	2
Shropshire	12
Somersetshire	15
Staffordshire	17
Suffolk	11
Surrey	11
Sussex	18
Warwickshire	10
Westmoreland	3
Wiltshire	18
Worcestershire	12
Yorkshire	37
	471
Wales	29
Scotland	53
Ireland	105
Total	658

Members for England and Wales	500
Scotland	53
Ireland	105
TOTAL	658

PARLIAMENTARY

HANSARD'S

Parliamentary Debates

During the First Session *of the* Twelfth Parliament
of the United Kingdom of Great Britain *and*
Ireland, *appointed to meet at Westminster*,
19*th February*, 1835,
in the Fourth Year of the Reign of His Majesty
WILLIAM THE FOURTH.

First Volume of the Session.

HOUSE OF LORDS,
Thursday, February 19, 1835.

OPENING OF PARLIAMENT.] The Writs for the assembling of the new Parliament were made returnable on this day, and accordingly the Parliament assembled for the dispatch of business. It was opened by Commission, the Lords Commissioners being the Archbishop of Canterbury, the Lord Chancellor, the Earl of Rosslyn, Lord Wharncliffe, and the Earl of Jersey.

The *Lord Chancellor* acquainted their Lordships, that his Majesty, not thinking fit to be personally present here this day, had been pleased to cause a Commission to be issued under the Great Seal, in order to the opening of and holding of this Parliament. The noble Lord commanded the Usher of the Black Rod to inform the Commons that "The Lords Commissioners desire the immediate attendance of the Commons to hear the Commission read."

The Commons appeared at their Lordships' Bar, preceded by Mr. Ley, the first Clerk at the Commons' Table.

The *Lord Chancellor* then said,

"My Lords, and Gentlemen of the House of Commons; His Majesty, not thinking fit to be present here this day in his Royal person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under his Great Seal, constituting us and several other Lords therein named, his Commissioners, to do all things in his Majesty's name on his part necessary to be performed in this Parliament. This will more fully appear by the Letters Patent themselves, which must now be read."

The Clerk read the Commission.

The *Lord Chancellor* then spoke to the following effect:—

"My Lords and Gentlemen; We have it in command from his Majesty to let you know that his Majesty will, as soon as the Members of both Houses shall be sworn, declare to you the causes of his calling this Parliament; and, it being necessary that a Speaker of the House of Commons should be first chosen, it is his Majesty's pleasure that you, Gentlemen of the House of Commons, repair to the place where you are to sit, and there proceed to the choice of some proper person to be your Speaker; and that you present such person whom you may so choose here to-morrow, at three o'clock, for his Majesty's Royal approbation."

The Commons withdrew.

The Lord Chancellor took the Oaths, as did some other noble Lords.

HOUSE OF COMMONS,
Thursday, February 19, 1835.

Opening of the Session.] At twelve o'clock the doors of the House of Commons were thrown open, and the Members immediately entered in great numbers. In five minutes not less than 300 Members were in the House. We preserve this record to mark the great interest excited by the expected contest for the Speakership.

Shortly after two, the Usher of the Black Rod summoned the Members to hear the Commission read in the House of Lords.

Mr. Ley, the Chief Clerk of the House, accordingly proceeded thither, followed by the Chancellor of the Exchequer, Mr. Goulburn, Mr. Herries, and a great many Members.

On their return, the Clerk announced, that the Commons had been summoned to the House of Peers, and had been commanded to choose a Speaker.

Choice of a Speaker.] Lord *Francis Egerton* rose, and addressed the Chief Clerk, who presided, as follows: — Mr. Ley, his Majesty's gracious communication having pointed out to this House its preliminary task and duty, I rise for the purpose of making a Motion, which, if it meet, as I confidently trust it will, with the approbation of a majority of those who hear me, will carry his Majesty's pleasure into effect, and will do so, I conceive, in a manner most calculated to secure and promote all those great interests which can be affected by the object of the present discussion. At no period of this country's history, under no circumstances, public or otherwise, that I can conceive, could a fitting selection of an individual from among us, to fill the Chair, be a matter of greater public concern, or a Motion which tends to that selection a question of more serious responsibility. In the present circumstances of the country, when all know, and I am sure deeply feel, that the House must inevitably enter upon fields of discussion of vital importance to the interests of the State, I feel that we should look narrowly and closely to the qualifications of the individual to whom we must look for guidance and advice, for the maintenance of our high privileges and constitutional independence, for the due control over the fervour and excitement of our Debates, and for a wise exercise of that influence which we, with a proud, graceful, and salutary submission, are wont, and I am sure are now ready, to delegate to the individual we call to the Chair, and for whose attendance the honours and emoluments derived from it are in my judgment no more than a compensation for the toil, the anxiety, and the sacrifices of him who competently fills it. In addition to that mass of circumstances which at any time must make the qualifications of the individual a matter of interest and importance, I need not remind the House, that a great public calamity has given new weight to the value of one of those qualifications, more rare than patience itself,—harder to be met with than even candour and discretion, under present circumstances the lot of but one individual—namely, experience in office. I need scarcely add, that to that person the object of my Motion expressly points; and I must say, that if any circumstances existed which should deprive the House of the opportunity of securing the services and tried abilities of that individual, I can scarcely conceive a more legitimate subject of sincere regret; for he is a Member competent above all others, to carry into effect in this new locality, the laws of common convenience, the salutary usages and practices of the old. I ask the House to look at the loss we have recently experienced—to consider the lamentable deprivation we have suffered—the documents, the records, the evidence that has been consumed by that melancholy catastrophe, and then hon. Members will feel, that the extensive knowledge and intimate acquaintance with such matters possessed by that individual cannot be too highly appreciated, and afford the best hope of restoration, substitution and repair. I confess that, with such feelings, I should grudge him even that ease and retirement which so many years of service so well entitle him to demand—I should almost grudge him the very favours of the Crown which might have called him to functions and honours elsewhere, and have rendered him therefore incapable of the situation to which I am anxious that the House should again invite him. After what I have said, it is almost a useless matter of form for me to mention the name of Sir Charles Manners Sutton, the eminent individual who has proved for eighteen years in that chair his undoubted competence, and who, on seven successive occasions, has accepted an all but unanimous invitation to resume it. The House, therefore, has most unequivocally shown its approbation both of his qualifications for the discharge of the important duties belonging to the office, and his manner of executing them. It would be as idle in me, as it would be painful to my right hon. Friend, were I to attempt to travel after any fashion of my own over those grounds of just eulogy which on so many recent occasions have been perambulated by others far more competent to impress their opinions on this assembly. Public attention has already been called, with peculiar force and justice, to the speeches of noble Lords and hon. Gentlemen, who, on the last occasion, when the right hon. Gentleman was placed in the Chair, gave their approbation to the choice I now recommend; and it will be recollected that these sentiments emanated from Gentlemen who went on the presumption that they were opposed to the right hon. Gentleman on political grounds. I lay, as I have a right to do, the more stress on this circumstance, because I do feel, that from the spirit of party it might be very possible for an individual to secure the praise of those who felt that his political sentiments were congenial with their own. I almost believe, that if by any casual circumstance an individual were called to the Chair who was in any respect disqualified for its duties, he might for a time be supported by that good will and partiality which, even unconsciously to themselves, such as mingle in political strife will bestow on a favourite and a friend. Such is not the nature of the testimony I am able to produce, and which is so much superior to my own, that I trust the House will afford me the opportunity of bringing it under its consideration. I take it from the last debate on the subject, which will satisfactorily show that even the political opponents of my right hon. Friend advocated his claim to the Chair. Before, therefore, I proceed to the Motion, I have to ask permission, and I think the House will extend it to me, to direct its attention to a few brief extracts from the discussion to which I refer. I trust that hon. Gentlemen, whose names may be called in question, will acquit me of any wish to make invidious allusions to sentiments which did as much honour to their candour and integrity as to their eloquence. First, I will advert to what was then said by my noble Friend and relative the Member for the West-Riding of Yorkshire (Lord Morpeth). My noble friend then said, that the duty of the Speaker was to preside fairly, candidly, and impartially over the business of that House. That duty, it was admitted on all hands, had been satisfactorily performed, and therefore he thought that the objection, the sole objection made by the hon. member for Middlesex, that the right hon. Gentleman did not hold the same political opinions as the majority of that House, was on this occasion by no means a forcible or appropriate objection. He was of opinion, that that circumstance was rather in favour of the right hon. Gentleman since he had shown that, whatever might be his political sentiments, he did not allow them to bias his conduct as a public functionary. "It was always irksome," his noble Friend continued, "to indulge in panegyric in the presence of its object. He, however, felt himself considerably relieved from that difficulty by referring to what took place shortly before the close of the last Session.* My noble Friend then proceeded to applaud the "unfailing punctuality, the diligence, affability, and suavity of manners of Sir Charles Sutton," and added, that "he had displayed dignity without pedantry, and courtesy without servility, and that these invaluable qualities marked every hour of his official conduct." My noble Friend was followed by the hon. Baronet, the Member for Westminster, who, after aiding and supporting my noble relative's observations, asked a question, which perhaps some hon. Gentlemen may think might be asked now without meeting with any response—*Quis vituperavit?* That question, as I said, it may be difficult even now to answer; for I cannot believe that we shall hear repeated in this place the kind of vituperation which seems to have been uttered elsewhere. At all events, we may put it in this form—*Quis vituperaturus est.* The hon. and learned Member for Dublin, speaking on the same occasion on the question whom the House should place in the Chair, and resisting the Motion, the nominator of my right hon. Friend, admitted his great qualifications. If, however, the prediction entertained as to his vote this day may be relied upon, it leaves me without the power of imputing to the hon. and learned Member any charge of inconsistency; but it may be asserted, that he at least formerly concurred in the remarks made upon the personal qualities of my right hon. Friend. His testimony I have a right to consider a strong one, and it goes decidedly in support of the others that I have just read. If these allusions contained anything invidious in their application I should certainly stop here, and not continue my quotations from the speeches of noble Lords or hon. Gentlemen taken from this assembly, and not now belonging to it; but I think, on the contrary, that the sentiments they delivered in 1833 conferred upon them nothing but honour; and I shall close my list, therefore, with the evidence of the late Chancellor of the Exchequer, who has since been translated to the other House by a domestic calamity. He said, that the qualifications of my right hon. Friend were "pre-eminent," and that he was "infinitely better fitted for the situation than any other Member could possibly be." These, the House will recollect, are not the testimonies of private partiality or intimate friendship—still less are they the consequences of undue preference to any party or section of a party in the House or in the country. This is not the evidence of partial friends, but the voluntary tribute of honourable adversaries—not the panegyric of an advocate, but the verdict of a jury. It is upon this almost universal feeling in the House, upon proof of tried fitness and experienced ability, that I rely, and I hope that my Motion will meet with the approbation of the majority of the House. I do regret, that circumstances should exist which would make it insincerity in me to affect to proceed upon the assumption that my proposal will meet with that unanimity which, for the reasons I have stated, I think it well deserves. I regret, for my own sake, that circumstances are likely to place me in opposition to many Gentlemen whom I esteem and regard, not, indeed, upon any question involving the great interests of the State, or the enlarged principles of political discussion. Energies, honestly and justly applied on any side of a subject, I trust will leave mutual respect unimpaired; but here, I apprehend, the application of those energies would be wasted and misdirected. At the same time, I do not believe that the Motion I shall submit will be resisted by an amendment to be supported by those strange charges and monstrous absurdities which have appeared in other shapes, for the last two or three months, before the public. I do not believe that I shall hear, on this occasion, of the misconduct of Privy Councillors, or their attendance on the red-lettered circulars of the Clerk of the Council, construed into treason. I do not believe that we shall be called upon to meet indictments framed on the pages of "The Mirror of Fashion," or from the information obtained from those invisible and mysterious agents who track the progress of individuals through the avenues of private life to scenes of convivial entertainment, and who bribe the Sosias of the Amphitryons of the day for lists not always correct of the invited. To suppose that opposition would rest upon announcements of this kind in the public press of the day would be too contemptible, and would, I am sure, be doing injustice to those by whom it is intended. But I understand that the opposition to the Motion with which I shall have the honour of concluding is to be rested, not on the qualities of the party I shall propose, but on a great public principle. With that public principle it is undoubtedly difficult for me to deal, because the noble Lord who has, with that talent and ability which belongs to him, achieved the detection and discovery to which I allude, has kept it in Cimmerian darkness. I must say, that, if he had been the inventor of gunpowder himself, he could not have been more confidently explicit as to the existence of that principle, or more prudent and oracular as to its nature and composition. The noble Lord, who, I believe, may be looked up to as at least the intended leader of this House, whether self-elected I know not, or whether elevated on the bucklers of a tumultuary host, amid the clash of weapons hitherto crossed in all but mortal strife, amidst discordant war-cries, over which one shout alone (the solitary symptom of union) is predominant —"return to office"—I know not; but that noble Lord, I say, has left the principle he propounded so obscure, that we can only conjecture its nature till some one shall have appeared to expound it to the House. It appears to me, however, probable that it is a principle we have met with elsewhere, not in ambiguity, but blazoned on election banners and in hustings speeches, amidst the acclamations of electors—a principle new to English feelings, and offensive, as I believe, to our narrow prejudices—the principle of condemnation without trial. If that is to be the principle which is to flash conviction on the doubting, to fix the wavering, and reunite the phalanx which, by various accidents of disunion and secession, has had its bands somewhat dispersed, I trust that hon. Gentlemen will be able to support it in this House and carry it into effect without violation of their own consistency, and without the support of arguments which on the last occasion of this kind they raised very eloquent voices to combat and repudiate, namely, the principle, that political considerations—the consideration of the political opinions of the individual who is to be called to the Chair—are to set aside all others of talent, fitness, ability, experience, or even, what will be more shocking to some, the consideration of public economy. Before I conclude the observations I have been addressing to the House, I trust I may express my confidence that I have avoided the use of language which could be thought to savour of disrespect to any Gentleman who has been named by popular report as a candidate for this office. With regard to the individual right hon. Gentleman who is likely, as is understood, to be proposed to the House, I certainly feel, whatever may be the opinion entertained by this House of his talents, he is at least so far superior to me in everything that can command the deference of this House, that it would ill-become me, however others may think fit to exercise their right, to question his abilities in any particular; and I beg to express to him the fullest measure of respect and deference, which, I will not say I myself, but the nicest sensibility of his friends, may consider to be his due. I should have been well content, had the task — however honourable and consonant to my feelings of regard and esteem—of proposing my right hon. Friend to the Chair, fallen into worthier hands; and, if possible, more remote from the suspicion of private partiality, and more resembling the quarters from which those eulogiums, and that eloquence which placed him in the Chair on the last occasion proceeded. But I have felt myself supported in the task I have undertaken by the strong assurance and conviction, that my execution of it, however imperfect and unsatisfactory to this House, will not be unsatisfactory to a large majority of the large constituency which sent me here—sent me here not manacled or fettered by pledges, not with one arm tied up to fight, if need be, the battle of our liberties, but with my discretion free on a subject which, of all others, every man who considers it must feel to be one on which the Members of this House should be left with their judgment unbiassed. At all events, I am satisfied, that if the occasion should ever arise in which I should have to answer at the bar of offended public opinion for errors of judgment or failings of incapacity, the first occasion on which I have had the honour of mingling in the discussions of this House will not be the one on which those who blame me will fix for censure. I will not presume to make any further trespass on the time of the House, but will conclude by moving "That Sir Charles Manners Sutton do take the Chair."

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* Hansard (third series) vol. xxv. p. 50-51.

Sir *Charles Burrell* was understood to express himself nearly as follows:—I should not have intruded myself upon the attention of the House on this important occasion, had it not been for particular reasons, which my friends have been pleased to consider valid; but, after the excellent and eloquent speech of the noble Lord, my intrusion upon the attention of the House will be short. I offer myself to the consideration of the House as a man who seconds the Motion of the noble Lord, but without any party views, and upon no political principle; I second the Motion from an entire conviction of the superior fitness of the right hon. Gentleman who formerly was our Chairman, for that office, over every Member in the House, without meaning disparagement to any one, and much less to the right hon. Gentleman whom we understand it is in contemplation to propose. For that right hon. Gentleman I have the very highest respect; I know him to have considerable talents, and to be a man of the highest integrity; and in what I do, I repeat that I intend him no disparagement. In 1817 it happened that I, from circumstances of regard for a particular friend of mine, the right hon. Member for Montgomeryshire, and from a persuasion of his fitness for the office, had the honour to second his nomination for the Chair. Since that period I have had opportunities, from having been in Parliament ever since, of noticing the urbanity, the efficiency, and the impartiality of the right hon. Gentleman who was then elected to fill the Chair. With this conviction, I think I should do an injustice to him, and injustice to my own character, if I could consent to give a silent vote on this occasion. I should not do justice to his merits or my own sense of them if I did not at once acknowledge that the high expectations which were then formed of him had been fully realized by the abilities and impartiality of the right hon. Gentleman. Under the peculiar circumstances, as the noble Lord properly styled them, in which we are placed, I trust the House will conclude by again availing itself of the qualifications of which we have had such satisfactory evidence. It is required in the Speaker we must now elect, that he should be well acquainted with all the duties of the House in the conduct of its business, so that all deficiencies may be supplied in the new building which is to be erected for us, and which none can be so excellent a judge of as the right hon. Gentleman, whose experience is known to be so great with every part of the business of the House. Under all the circumstances, I give my most cordial assent to the Motion of the noble Lord. I will not detain the House further; for anything I could say, would be mere surplusage, after the eloquent speech of the noble Mover.

Mr. *Denison* spoke to the following effect. It is seldom that I intrude upon the House, and it is with great reluctance that I do so upon the present occasion; indeed, nothing but the most imperative sense of public duty, and the wishes of my friends around me, could have induced me to come forward at this most important crisis, when the public mind is most excited; and when the eyes, not only of this country, not only of Europe, but of the whole civilized world are watching our deliberations. In a great part of what has fallen from the noble Lord, whose appearance in this House I am glad to see, and likewise in what has fallen from my hon. Friend, the Member for Shoreham, I perfectly concur. In all that has been stated respecting the amiable and excellent qualities of the right hon. Gentleman who was lately our Speaker, I agree; and, indeed, no one can dispute his virtues in private life. But this is not a question of personal character—it is a question of great public principle. Yes, I say, however the noble Lord (Lord F. Egerton) may be inclined to sneer at public principle, or ridicule those who act upon it, that this is a question of public principle; I must add, and he will excuse me for doing so, that I think he has thrown more asperity into this Debate than necessary—and has

> "Leaped his light courser o'er the bounds of taste."

I trust I shall not follow his example in that respect, but state my views of the position in which we are placed without in the least provoking angry feelings. Sir, it is upon public principles that I shall take the liberty of trespassing a very few moments on the time of the House, at a moment when our decision is looked for with breathless anxiety by endless thousands. I shall go back a little to what has taken place within the last two or three years. His Majesty, with that undoubted right he possesses, dissolved the last Parliament, and appealed to his people. The people have responded to his Majesty's call, and have returned a majority of Representatives to this House warmly and steadily attached to the great principles of Reform. Now, with all my respect for the character of the late right hon. Speaker, the Member for the University of Cambridge; I must take the liberty of stating, that in my humble opinion, it is incumbent on this House to place in our Chair—the highest situation to which a British Commoner can aspire, and which makes him who fills it the President of the first and most influential assembly in the universe—a gentleman assimilated in principle and opinions to the great majority of the House. In all the political storms which must inevitably take place in the course of a short time,—in all the troubles and difficulties which are incidental to the present state of the political atmosphere; and which, like "coming events, cast their shadows before,"—in all the discussions which must necessarily arise upon the introduction of those measures which the right hon. Baronet now at the head of his Majesty's Government has promised to bring forward upon the Church Reform—upon the subject of Corporation Reform—and that most crying of all grievances, the present state of the Church of Ireland, which I understand it is the intention of the present Ministry to reform—in the consideration of these questions, and in the discussion which must take place concerning the dismissal of my noble Friend, Lord Melbourne and his Administration, unheard and without a trial—without that trial which the right hon. Baronet and the friends who surround him so earnestly demand for themselves forgetting the golden rule "Do as you would be done unto"—in the important discussion which must arise with respect to the assumption for a period of three weeks of the greater portion of the chief offices of State by one individual, who, however high in rank and station—however renowned for his achievements in the field (and no man is more ready to do him justice upon that point than the humble individual who is now addressing you)—in taking upon himself the discharge of so many functions, appears to me to have acted upon that occasion in a most unconstitutional manner — in the Debate which must necessarily arise upon that subject, and upon the many other important questions to which I have slightly adverted; it will be incumbent upon this House, to have in its Chair a Gentleman who, combining impartiality and courtesy with dignity, shall likewise agree in opinion with the majority of its Members. Again, if ever a time should arrive (which from the bottom of my heart, I trust may never be the case) when—I will not use the word "collision," but when there may be some difference of opinion between this and the other House of Parliament—in such an event, as well as in the other instances to which I have alluded, it would be of paramount importance, that we should have in our Chair, a Gentleman whom we know to be sincerely attached to the great principles of Reform. I owe a thousand apologies to the House for the length at which I have trespassed upon its patience; but I beg to repeat my promise of being as brief as possible. In now proposing my right hon. Friend, the member for the city of Edinburgh, to fill the chair of this House, I feel that in his presence I cannot say all that I could wish with respect to him; but I take the liberty of stating, that in my humble opinion no gentleman can be more fully qualified to fill that distinguished but arduous station, either by his uniform consistency, his amiable manners, his extensive knowledge, his great legal knowledge, his long experience, or by his devoted application to business; and combining, as he does, with these, the coolest temper and the clearest head, and attached, as he has proved himself to be, on many important occasions, not only to the great principles of the Reform Act, but in every instance to the rights and liberties of the people,—possessed of all these qualities, I am convinced that if we place my right hon. Friend in the Chair, he will also act with the strictest impartiality. I flatter myself that all those Gentlemen whom I have the honour of addressing, who either supported the principles of the Reform Bill in the last Parliament, or who more recently, upon the hustings, have avowed their determination of supporting those principles, not according to the mere letter, but in substance and in spirit, will do me the honour of supporting the motion with which I shall conclude, and thus place in the Chair of this House, which, as I stated before, is the first station to which a Commoner can aspire—the Chair of the greatest and most influential assembly of freemen in the universe—that right hon. Friend of mine, who bears a name not unknown to history or to fame, and which will ever live in our country's annals. I am most thankful to the House for the attention with which it has heard me. I will now trespass no further upon its time, than to move "That the Member for the City of Edinburgh, the right hon. James Abercromby, do take the Chair."

Mr. *Ord* rose to second the Motion. "It is with great reluctance, and even with regret," said the hon. Gentleman, "that I offer myself to the notice of the House at all, and much more so upon a question of such great importance as that which we are now assembled to decide. But I have another and a deeper source of regret, for I feel myself compelled by a sense of public duty to oppose the election of a right hon. Gentleman whose public services I have long witnessed, whose zealous and indefatigable exertions in the discharge of the duties of his laborious office, I have long admired, and whose kindness and courtesy of behaviour, I, in common with every Member of the House, have uniformly experienced. But occurrences sometimes present themselves to men engaged in public life, when feelings of a private and personal nature must give way to others dictated by what each individual conceives to be his public duty. In my opinion the present is one of those occasions; for the choice of a Speaker, at this moment, is not only attended by all those considerations of importance which at all times and under all circumstances attach to it, but derives an additional importance from the fact that it will be received by the whole country, and not only by this country, but as my hon. Friend has well observed, by other countries, as an intimation of the feelings and opinions of the newly-elected Parliament upon those important events which have taken place within the last few months, and which led to the premature dissolution of the late Parliament. I know that the question which will most probably be asked on this occasion is this —if the right hon. Gentleman who has been proposed by the noble Lord were well qualified to fill the situation of Speaker in the late Parliament, what has since occurred to render him an unfit object of our choice on the present occasion? To those topics to which the noble Lord (Lord Francis Egerton) has alluded, I do not mean for one moment to advert; but I must be allowed to say, that I think the circumstances of the times and of the case at the present moment, compared to those of the period at which the right hon. Gentleman was last elected, are totally and entirely different. The election of the right hon. Gentleman to the Chair at the commencement of the last Parliament appeared to me to be quite a special case; at all events, it is undeniably true, that no Speaker ever was placed in the Chair of this House under such circumstances. I had not the honour of a seat in the last Parliament, but I believe it was generally understood that the right hon. Gentleman, had virtually retired, and in consequence the usual retiring pension had been granted to him. Whatever I may think of the discretion or wisdom of the late House of Commons upon that point, I certainly cannot think it unnatural that the Ministry of the day, possessed as those Ministers were of all the power and influence of the Government, and with an overwhelming majority in the House, notwithstanding the political opinions of the right hon. Gentleman, should be anxious to avail themselves of his great experience to conduct the Debates of the first Parliament that was assembled under the Reform Act. The election of a Speaker at that time could not be regarded, as I conceive it now must be, as a test of the strength of any political party or any criterion of the opinion of this House. It was neither so in point of fact, nor was it considered so by any party or by any class of persons in the kingdom. The question, at that time, from the position in which parties were then placed, was regarded by all with indifference; but at the present moment, from the altered posture of affairs, it is regarded by all classes of men, and in every part of the empire, with the most intense anxiety; because by our decision upon this Question our probable decision upon other and still more important questions will be anticipated. His Majesty has been advised to appeal to the sense of the people upon those changes which, in the undoubted exercise of his prerogative, he has thought fit to make in his Cabinet. The people, in the representatives whom they have sent to the present Parliament have replied to that appeal; and I own it does strike me that if our first act shall be to give the highest proof of our confidence and approbation, by placing in the chair, to preside over our proceedings, and to be our organ and representative, any one entertaining the principles and political opinions of the right hon. Gentleman who has been proposed by the noble Lord, we shall greatly disappoint the just expectations of the people. These are the considerations upon which I feel myself obliged, however reluctantly, to oppose the re-election of that right hon. Gentleman. I now turn to the much easier part of my task,—to state very briefly to the House the reasons that induce me to second the motion that has been made by my hon. Friend (Mr. Denison) near me. I am not about to enumerate the many qualifications which are admitted on all sides, to be requisite in a Speaker of the House of Commons, because they have been described so much more ably than I could pretend to describe them by others who preceded me on the present occasion. Any attempt on my part, therefore, to enumerate or describe those qualifications would be a mere waste of time; but I may be allowed to express my belief that I am not blinded by personal partiality and friendship for my right hon. Friend, when I state that I esteem him in every respect to be eminently qualified to fill the high station for which he has been proposed. Whether I regard his great talents, his extensive acquirements, the soundness of his judgment, the promptitude and decision of his character, his habits of business, or his long acquaintance and complete familiarity with the practice as well as the principle of our laws, I feel on all these grounds that my right hon. Friend cannot fear a comparison with any competitor. But my right hon. Friend has another qualification, without which all those others that I have mentioned would in my opinion be insufficient—I mean his known political opinions and feelings—which will make him what, in my estimation, the Speaker of this House ought to be—the fit representative of the opinions and principles of what I believe to be the great majority of this House. Upon these grounds I have the most sincere pleasure in seconding the Motion of my hon. Friend. Those opinions and principles which, in my estimation, make my right hon. Friend the fit Representative of this House, have long been known to his country, and have made him the choice of one of the largest and most enlightened constituencies in the kingdom. I conceive, therefore, that his election to the Chair, to preside over the proceedings of the present Parliament, will be regarded by the country as the triumph of a great public principle. It is upon this ground that I shall give him my vote. I feel that the character of this House rests in a great measure upon our decision this evening; and I also feel, that the Speaker of the House of Commons, who is to be our Representative and our organ on all occasions, cannot satisfactorily (to the House) discharge those important duties unless his principles and opinions are in unison with those of the majority of the House. Upon these grounds I support the Motion of my hon. Friend. I have not been much in the habit of addressing this House, and I fear that upon the present occasion I have expressed myself very imperfectly; I trust, however, that in the observations I have ventured to make I have not been so unfortunate as to give offence to any one. Without pressing further upon the patience of the House, I beg leave to second the Motion "That the right hon. James Abercromby do take the Chair."

Sir *Charles Manners Sutton* was aware, that he at all times owed an apology to the House for intruding himself upon their notice; but he felt that it was an occasion on which the House, always alive to the honour of public servants, would be inclined to give him a patient hearing. He assured them, that as, on the one hand, he should not presume to state any qualifications of his own for the high office which it had been so long his good fortune to fill—for he was so circumstanced that the House and the public must form their own judgment of the manner in which he had discharged its duties for nearly eighteen years—so, on the other hand, he would not presume to address them, if, contrary to all the knowledge which he possessed of the feelings of the House, and contrary also to his own feelings, he could be led to say one word in disparagement of the qualifications of the right hon. Gentleman the Member for the City of Edinburgh, or even if it were to enter into any competition with him. These, however, were not the grounds on which he wished to address himself to the House; but others, which he would bring as briefly as he could under their consideration. He could not but believe that he had pursued a course as respectful to the House as it was just to himself, in waiting patiently and submissively under imputations and charges affecting the honesty and integrity of a man whose highest pride it ever had been and ever would be to have been its servant for eighteen years, until he could answer them in his proper place—on the floor of the House itself. It was for that object that he till now had reserved himself, intending to state with as little—indeed he hoped with no asperity, his answer to those charges, without making any deviation from their substance. He could not but believe that every man would feel, that he owed this statement to the House at large, and more particularly to the noble Lord and the hon. Baronet who had that day proposed him once more as a fit person to fill the Chair, and who certainly would not have proposed him for that high office had they considered the imputations against him to be founded in truth. Having said these few words by way of preface, he would proceed at once to notice, not the way in which those imputations had been got up, not the assiduity with which they had been circulated, but the imputations themselves. He believed, that the charges against him, when stripped of all circumlocution, were substantially these: —that, being Speaker, he had busied himself in the subversion of the late Government; that he had assisted with others in the formation of the new Government; and that he had, last of all, counselled and advised the dissolution of the late Parliament. These three charges affected public character, and they affected peculiarly the character of the Speaker, who must, to a certain extent, be in constant communication with the executive Government. They also affected the character of a man who had been described somewhere or other as a traitor to the House of which he was the mere organ, and who had also been denounced as guilty of planning the extinction of that body to which he owed his own high station. Now, in these three charges—in all of them collectively, and in each of them individually—there was not one word of truth, on his honour as a gentleman, from the beginning to the end. To the first of these charges—namely, that of his having mixed himself up with others in subverting the late Administration, he would first of all reply, that as soon after the prorogation of the last Session of Parliament as the public business would allow—and there was always some public business to be arranged after the Session was closed—and with a small delay on account of the attention which he was obliged to pay to his own private affairs, he went down with his family to Brighton. It might not be immaterial to add, that at that time his Majesty and the Court were at Windsor. He remained at Brighton without any communication, directly or indirectly with his Majesty, until he was recalled to London by express on account of the lamentable fire at both Houses of Parliament. He arrived in London next morning while the fire was still raging; and, after witnessing the devastation which had taken place, it was suggested to him, and he immediately felt the justice of the suggestion, that it was his duty to write a letter to his Majesty, informing him of the state of things as far as it was then possible to form a judgment, and the rather as he was, by the gracious permission of his Majesty, living in a portion of the ancient palace of Westminster. He wrote the letter to his Majesty that evening, and, with the permission of the House, would state the terms in which he had written it. The right hon. Gentleman then read a copy of the letter, of which this is the substance;—

"The Speaker feels it his duty to acquaint your Majesty, that having heard at Brighton early this morning of the lamentable fire at the two Houses of Parliament, and the house which, by your Majesty's gracious permission, he inhabits, he lost no time in coming up to town.

"The Speaker regrets to state that both Houses of Parliament are entirely destroyed—floors, fittings, and roofs; and nothing left standing but the outer walls. With respect to the Speaker's house, the greater part of the domestic portion of the house is destroyed; and to the rest, including the public apartments, very extensive damage is done. Much of the more valuable part of the library of the House of Commons, as well as papers and records, have been saved; and the Speaker cannot omit to add his sincere satisfaction that Westminster Hall, which was in imminent danger at several points, has been fortunately preserved.

"The Speaker trusts that your Majesty will pardon the liberty he has taken in communicating these melancholy occurrences to your Majesty."

The right hon. Gentleman then proceeded to state, that having written that letter, he carried it to the office of the Secretary of State for the Home Department. The Secretary of State was not himself in town, but he saw the Under-Secretary. He told the Under-Secretary that he had written a letter to his Majesty, acquainting him with the results of the fire, and requesting him to send it down to Windsor to his Majesty by a special messenger, if he had the power. He also requested him to state to Lord Melbourne the letter which he had written to his Majesty, and the object he had in view in writing it. In the course of that evening he (Sir Charles Manners Sutton) received a letter from Lord Melbourne, informing him that his Majesty would be in town next day, and directing his attendance at two o'clock on that day at St. James's palace. He also received another letter from Lord Melbourne, desiring to see him in the morning before he went to the Palace. In the morning, before he went to Lord Melbourne, he received a letter from Sir Herbert Taylor, acknowledging the receipt of his report by his Majesty, and enclosing a letter from his Majesty upon the subject of providing for the future accommodation of Parliament. He then went and saw Lord Melbourne. He told Lord Melbourne that he had received an answer to his letter from the King. He also informed him of its contents. He likewise stated to Lord Melbourne that, in the letter, the object of his attendance on his Majesty was stated. He then attended his Majesty. His Majesty saw

Lord Melbourne and the Lord Chancellor afterwards, and then returned to Windsor. The same evening he received another letter from Lord Melbourne, informing him, that he (Lord Melbourne) and his colleagues conceived that a Committee of the Privy Council should be appointed to inquire into the cause of the fire, and that they were desirous that he should be a member of that Committee. He received his summons as one of that Committee. He never missed a single day's attendance upon it whilst it sate, and he was concerned in framing the Report which emanated from the Privy Council respecting the destruction of the two Houses. On the Wednesday following his Majesty came to town to hold a Court for the investiture of Knights of the Order of the Bath; and as he had the honour to belong to that Order, he attended at the Court. After the Court was over, he asked if it was his Majesty's intention to return to Windsor, and he was answered in the affirmative. He likewise inquired whether his Majesty had any further commands for him, and was informed that his Majesty had not expressed any intimation of that kind. He then stated, that as he was going to the Privy Council Office, if wanted, he should be found there. On the day following he received a letter from Sir Herbert Taylor, conveying his Majesty's commands that he should be at Windsor at five o'clock on the next day. He attended his Majesty's commands, and he had a long audience of his Majesty on that occasion. With regard to what occurred at that audience, he (Sir Charles Manners Sutton) requested his Majesty's permission, and his Majesty was kind enough to command him to communicate to Lord Viscount Melbourne every thing that passed at it. He did not request his Majesty's permission to state what had occurred at that audience to that House, and, therefore, he was not at liberty to make that statement now; but if any one entertained a doubt on the subject, he begged to refer them to Lord Viscount Melbourne in confirmation of what he now stated. He believed the noble Lord whom he now saw on the opposite side of the House was not then in town. He did communicate with the right hon. Gentleman then at the head of the Woods and Forests (Sir John Hobhouse,) and he would confirm what he now stated. He (Sir Charles Manners Sutton) returned from Windsor on the Saturday morning. When he returned he stated to that right hon. Gentleman that he had his Majesty's command to wait on him, and that, on doing so, he had been directed by his Majesty to survey Buckingham-house and gardens, and report thereon. The right hon. Gentleman suggested to send for Mr. Blore the architect, to accompany him on the occasion, which he did. He went over Buckingham palace with Mr. Blore, and he drew up his report, which he was to send to the King. Before, however, he sent it to the King, he brought it and showed it to Lord Viscount Melbourne and the right hon. Gentleman then at the head of the Woods and Forests, and then he sent it to Brighton. He received an acknowledgment of it from Sir Herbert Taylor, and there terminated his communication with his Majesty. Subsequently the late Government was dissolved, and it had been laid to his (Sir Charles Manners Sutton's) charge, that he had been intriguing for its dissolution. Now, upon such a point, it was impossible for any man to speak but upon the sanction of his own personal honour. Under that sanction, he now declared that he had no anticipation of such an event, and that the first information he received of it was from an article in one of the morning papers. In fact, he heard nothing, he knew nothing of it before. He feared that he was becoming tedious. The question, however, was one involving his personal honour and character, and, therefore, of the deepest interest to the individual concerned. He hoped, therefore, that the House would extend its indulgence to him. The next charge he had seen made against him was, that he had busied himself respecting the formation of the present Government. The only overt act advanced to substantiate that charge was, that he had attended the Privy Council. He certainly did attend it, and he would state the facts upon that point. On the Monday following the resignation of the late Ministers his Majesty came to town, and he (Sir Charles Manners Sutton) received his Majesty's commands to attend him at St. James's. He went there accordingly —he saw there many Members of his Majesty's late Government. They had audiences. He (Sir Charles Manners Sutton) had none. After their audiences were over, the Duke of Wellington had an audience, and then a message came out to all those in the outer room who were Privy Councillors to go in and sit in Privy Council; upon that he, having received that summons, went in. The other summonses which he received to attend were in the form of a printed notice; and those right hon. Gentlemen who were Privy Councillors were aware that a printed notice to attend a Privy Council never stated the matter for deliberation. There was this difference between those Privy Councils and Committees of the Privy Council, that, in the former, mere matters of form were transacted. It would be impossible to go into a minute detail of the business that was transacted at those Privy Councils, for, although the circumstances in which he stood, might be a great temptation to state the details, he did not feel that it would be consistent with the obligation of a Privy Councillor to do so. Many of the hon. Gentlemen opposite were Privy Councillors, and the Council books were open for their inspection. He (Sir Charles Manners Sutton) would satisfy himself with saying, that at no one of the Privy Councils that he had attended had any business been done but of the most formal description. The next charge that had been made against him was for busying himself in the formation of the present Government, When the right hon. Baronet returned from Italy, and took upon himself that station which he now filled, he did him (Sir Charles Manners Sutton) the honour to send to his house, expressing a wish to see him. That was the day after the right hon. Baronet arrived, and pursuant to his request, he (Sir Charles Manners Sutton) willingly attended upon him. With the exception of that visit, and of another which he paid to the right hon. Baronet for the purpose of getting the sanction and signature of the Chancellor of the Exchequer, in order to make good the payment at the Bank of England of the salaries of the Clerks of the House — with those two single exceptions, from the time that his right hon. Friend had assumed the Government up to the present moment, it so happened, that he (Sir Charles Manners Sutton) never was inside the right hon. Baronet's house. But he had perhaps gone too far in noticing such a point. But really, when his visits, as reported in the *Court Circular*, were made matters of charge—when he was accused of being at the Home Office with the Duke of Wellington day after day, previous to his right hon. Friend's return, and of his being with the Duke of Wellington week after week subsequent to his right hon. Friend's return, he must dispose of them by saying there was not one word of truth in such statements. When he saw such statements appearing day after day in the *Court Circular*, he thought at first it must have been a matter of accident, but the pertinacity in the repetition of them induced him to think otherwise. He should have felt it a high honour to have called so often upon his noble Friend and his right hon. Friend; but he should have considered it an act of impertinence to have so obtruded himself upon them without having business with them. Now, as to the charge against him with respect to the formation of the present Government, he would boldly, and at once say, that with the exception of his knowledge, in common with the public, of the appointment of his right hon. friend (Sir Robert Peel) the Lord Chancellor, and the Duke of Wellington, he had never advised, he had never suggested, he never was in any way consulted, and he never knew of the appointment of any one individual till after it had taken place. So much with regard to that charge. He now came to the third charge—namely, that he had counselled the dissolution of the late Parliament; and the overt act charged against him in this instance was, that he was present at the Privy Council, from which the proclamation for dissolution emanated. Now he begged to say, that he was not present at that Privy Council. He was not summoned to it. He never did advise, he never did counsel, he never was consulted with regard to—he never had anything to do with—the dissolution of the late Parliament; and so little did he know of the steps that had been taken on the subject, that owing to an accident of indisposition in his own house, he did not know of the fact, until it was announced in the *Gazette*. He was aware of the fact too late to save the post that night, and he was in reality put to much inconvenience in sending off an announcement of the event to his constituents as early as he could have wished. He stood differently from his right hon. colleague. His right hon. colleague had the advantage of being able to canvass before he could do so. Further he would state, he did not feel himself at liberty, being Speaker, to make any communication to his constituents until Parliament was actually dissolved. He must again apologize to the House for the length of time that he was obliged to take up its attention on this subject. He would repeat, that, with respect to the three charges of his having had any communication with any human being, at any time, or upon any occasion, in reference to the dispersion of the last Government, or any interference at all in any appointment of the present Government, or any thing to do in the way of advising, suggesting, or counselling the dissolution of the late Parliament, he would say as to each and all of those charges, with the greatest solemnity, and the strongest sanction that could be given to his assertion, on the credit and honour of a Gentleman, they were from the beginning to the end utterly without foundation. He had felt, that it was but respectful on his part towards the House to say so much. As he had said before, he had had the honour of being their servant for a long period, and there was no disgrace which he should feel so much as its being the impression of the House, that he (Sir Charles Manners Sutton) had discredited their repeated choice of him. With respect to the proposition before the House, as to who would be the fittest person to place in the Chair, he was sure that the House would concur with him when he said, as an honest man, that the question as to whether the right hon. Gentleman should be elected, or he (Sir Charles Manners Sutton) should be re-elected, fell to nothing compared with the vindication of personal character. With respect to the right hon. Gentleman who had been proposed in opposition to him, he hoped that he would believe, that he spoke in the spirit of the most perfect sincerity when he said, that no man could rate his talents higher than he did, and that he should feel it no disparagement in being considered second to him. He would now conclude, but before he did so, perhaps the House would permit him to express a wish—which was the one most likely to be uppermost in his mind, from his knowledge of the difficulties which belonged to the discharge of the duties of the Chair—that with the termination of this Debate, whatever the result might be, would terminate all angry and acrimonious feelings. He expressed that wish for the sake of the dignity of Parliament, and the decency of their proceedings; and he expressed it, too, because, speaking from long experience, unless it was so, it would be impossible for any Speaker, be he whom he might, to discharge his duties usefully to the public, acceptably to the House, or satisfactorily to himself.

Mr. *Abercromby* spoke to the following effect:—Sir, while I am duly sensible of the honour that has been conferred upon me, in having been selected by others as a person qualified to be recommended to the favour of the House on the present occasion, I cannot be insensible to the very great disadvantage under which I must labour from finding myself opposed to a Gentleman, who so long has filled the Chair, and whose repeated re-election has marked the sense which has been entertained of his services. This and other considerations were so strongly felt by me that I was most anxious to decline the application of my friends to permit them to place me in my present position. I have, however yielded my own inclinations and opinions to the judgment of others, in whom I confide, and whatever the decision of the House may be, I shall always reflect with great satisfaction upon the proof which has thus been afforded to me, that I possess the confidence of friends, whom I respect and esteem. My thanks are especially due to my two honoured friends who have recommended me in terms dictated by their old friendship, and not, as all must know, by the merits of the individual to whom those terms have been applied. Sir, the House is now required to perform its first and most important duty in selecting the individual whom it would call into its service. Feeling that the decision ought to be governed by the judgment that may be formed of the past conduct in life of any one who may be proposed for the consideration of the House, I have thought it most respectful and becoming to take no part, but patiently to abide the event. Under this impression I should have had little more to address to the House; but as the House cannot fail to know that the contest has been conducted out of doors in a very different spirit from that which I am sure will prevail within these walls, it has occurred to me, that as the right hon. Gentleman has vindicated himself (and in doing so he has acted most naturally) from charges which have not been made in the course of the Debate, I may be subject to observation if I do not do so likewise. I shall not, however, suffer in the judgment of this House, whatever I may suffer elsewhere, if on the whole I deem it most correct not to obtrude upon the consideration of the House what affects only myself personally, and the rather, as I have reason to believe, that before many days of the Session have passed, a Motion will be made, which will bring the matter to which I refer, and which has been so much the subject of discussion out of doors, under the consideration of a Committee of this House. My opinion, on the leading political questions, which have been discussed during the time I have had the honour of a seat in this House, have been, I hope, clear and distinct. If I were now to pretend, that the fact were otherwise, I should be contradicted by the whole tenor of my life; and I hope that those opinions, whether right or wrong, have always been adopted from conviction, and maintained with sincerity. Whoever is called upon to fill the Chair of this House, must know, that he is always acting in the presence of a critical and vigilant assembly. He must be influenced by a proper regard for his own fame, and animated by a sense of public duty. These considerations may not be regarded as sufficient guarantees for impartiality of conduct; but at least they deserve to be numbered among the most powerful and strongest motives that can act on a well-regulated and honourable mind. I shall now submit myself to the judgment of the House, and will only add the expression of my fervent wish that the decision of the House may be such as to contribute to the stability and permanence of that just authority, and of those real and substantial rights and privileges which have been assigned to this House by the constitution of our country; and that the business of this House may be conducted with that order, regularity, and decorum which are essentially necessary to command the respect, and secure the confidence of the people, whose Representatives we are.

Lord *Stanley* addressed the House to the following effect:—Sir, as I conceive it is not probable that any other Gentleman will be submitted to the consideration of the House beyond those whose names have already been laid before it, I hope I shall not be considered as impertinently intruding myself on the attention of the House, for I confess that I feel anxious to take this opportunity of stating the grounds for the vote which it is my intention to give on the present occasion. In doing so I am anxious, in a question which partakes in some degree of a personal and political consideration, to state my views, without offence to either of the two Gentlemen who have been put in nomination, for both of whom I entertain an unfeigned personal respect, from both of whom I am divided by no unimportant difference of political opinion, and without offence to those personal friends from whom I feel myself compelled to differ on this occasion. I had the honour—and an honour I shall ever feel it— to have been for four years a Member of that Administration over which Earl Grey presided. I yield to no Member of that Government, or of this House, in attachment to that which has been put forward as the great principle involved in this question—I mean the principle of Reform. I yield to no Member of that or any other Government in my attachment to liberal principles. I will venture to say, I am second to none in the zeal with which I endeavoured to carry out those principles. In 1833, when the right hon. Gentleman was re-elected, I did not express my sentiments on that occasion; I concurred most fully and most cordially not only in the course then pursued, and in the praises which from every side of the House were bestowed upon the right hon. Gentleman below me, but I was also of opinion that no political question could arise, no difference of political opinion could be sufficient, to counterbalance the inestimable advantages which the country would derive from the services of that right hon. Gentleman. I was of that opinion then—I am of that opinion now; and when I came down to the House this day I must confess I did expect to hear a complete explanation of the difference of circumstances which caused their opinions in 1831 and 1835 to be so totally different. I came down to the House with the belief, founded on a communication neither with the one side nor with the other—founded upon nothing except upon that persevering system of attack which I have seen in the public papers on the character of the right hon. Gentleman below me—that disclosures were now to be made affecting his impartiality of conduct in the performance of the high duties intrusted to him, which would call upon the House to perform the painful act of justice—but an act of justice it would have been—of pronouncing him a convicted intriguer. Now, what has been the course which my hon. Friend, who proposed the right hon. and learned Member for Edinburgh has pursued? and, in making the inquiry, I beg to say, that no man entertains a higher opinion of the temper, of the judgment, of the consistency of that hon. Gentleman, and of the correctness of the political principles he has advocated than I entertain. Why, my hon. Friend came forward and stated broadly, that, with insinuations, with charges, with accusations, he had nothing to do; that personally and publicly the right hon. Gentleman below him stood as high in the estimation of the country, and in the judgment of the House, as he had stood before; that all the eulogiums that had been passed upon him might still be repeated again and again, and repeated with the assent of the House; but that a great principle—a great principle—was involved in his election. The hon. Gentleman, the Member for Newcastle (Mr. Ord), who seconded the nomination of the right hon. and learned Member for Edinburgh, followed in the same course, and explained a little more fully what the general principle was—a point which, up to this moment, however, has been left in my mind, at least, in some degree of doubt. Both those hon. Gentlemen have declared that no charge is made against the right hon. Gentleman below me. If charges have been insinuated elsewhere, they are not prosecuted in this house. The House of Commons can not take cognizance of them, nor can the least advantage be taken of them to prejudice the right hon. Gentleman in the judgment of the House. The right hon. Gentleman, however, I am convinced, from what has fallen from him, is not satisfied with this position; a tacit acquittal was not enough; he had felt that in the position in which his friends desired to place him he ought not only to be unconvicted but unsuspected. He had felt that his claim to their support would rest upon his refutation of a charge insinuated elsewhere and not repeated there; but a charge, in fact, that he was disqualified by his conduct from filling the Chair of that House. I agree with the right hon. Gentleman. He has met the charge. He has met it boldly—he has met it fairly—he has met it manfully—he has met it unanswered—and he has met it without the apprehension of being answered. I say, that upon these grounds the House of Commons can not degrade the right hon. Gentleman from the situation he has so long held. I come then to the question of the public principle involved in the decision of the House. Why, what is that public principle which is so deeply involved in the present question, that it is important, that it is essential, that the House should not give it the go-by, and should not allow even the qualifications of the right hon. Gentleman below me, pre-eminent as they are admitted on all sides to be to counter-balance it? That public principle is that the person we elect to fill the office of Speaker should be known to entertain opinions in conformity with the majority of the House. Is this a new proposition; or was it not advanced by a certain portion of those who supported Lord Grey's Administration in the year 1833? Was that proposition not met by Lord Grey's Administration with the declaration, that that public principle was not one which, under the circumstances of that day, ought to bear on the case of the right hon. Gentleman below me. Why, if this were a great public principle they had given it the go-by in 1831, and they had given it the go-by in 1833. I do not question the consistency of those hon. Gentlemen who entertained the same opinion in 1831 and in 1833. I contend that in following up the opinion which I entertained in common with them in 1833 it is enough for me to vindicate the vote which I am now about to give in consistency and conformity with the vote which, as a member of Lord Grey's Government, I then gave. But it is said that the case of 1833 was not one of an alarming or extraordinary description; that there were no peculiar circumstances attending it; that there was no immediate public question at issue; that there was no question on which a mistake could arise—no question on which a direct appeal to the country had been made. But what did the House say to 1831—to May, 1831—when an appeal was made to the country, involving the whole of the principles of the Reform Bill—involving the very existence of the Reform Bill—involving the question whether the country and the Parliament would have or would not have Reform? Now was there ever a question on which a public principle was so broadly put forward as the very basis and ground-work of the discussion—that very question being the first measure the Parliament must consider—the first question they must necessarily determine? What was the first act of that Parliament? Why, the first act of that Parliament—the first act of that Reform Administration in the very agony and struggle for the Reform Bill itself—was to propose to the House, and to unanimously adopt a Speaker, whose very principles were in opposition to that measure. I might require of the hon. Gentleman who seconded the nomination of Mr. Abercromby to point out in what respect the circumstances of 1833 and 1835 so far differ that we should now elect a different Speaker; but I have pointed out to him that in one respect, at least, the circumstances of the present times are not stronger—they are not so strong—with regard to the necessity of the Speaker agreeing in political principles with the majority of the House; there being now no great principles at issue, as they were in 1831. What then are the different circumstances which warrant such opposite conduct? I ask again and again; and I know not what those circumstances are, except I am to take the doctrine of the hon. Gentleman, the seconder of Mr. Abercromby, and that doctrine is that this is not a test of principle, but a test of the strength of party. We are told it is essential that the Crown should not be deluded, and that no mistake should exist as to the sentiments of the House; that no mistake in 1833 could have existed—that no mistake in 1831 could have existed—because upon both these occasions as the hon. Gentleman asserted the Government wielding the whole power of the majority, in proposing a Speaker merely consented to a sacrifice to the expediency of the moment. If it were a great public principle no expediency, nothing on earth ought to have allowed a Government or an Opposition to sacrifice it. But the hon. Gentleman says circumstances have now materially changed. They are changed in one respect certainly—we were in office in 1833, we are not in office in 1835. I really don't mean to say this invidiously. Hon. Gentlemen may, perhaps, not believe me when I say I speak in all sincerity, and I use the words of one of the hon. Gentlemen who proposed Mr. Abercomby. Referring to the words which the hon. Gentleman himself used, I find that it was stated by him, that the difference between the case of 1833 and 1835 was this, that in 1833 the Government who proposed the Speaker had a certain and decided majority, and that in the present instance the majority might be less; therefore, said the hon. Gentleman it is essential that we should take this opportunity of signifying to the Crown, that we have no confidence in the existing Administration. Is that the principle? I ask again, is that the principle? If it be, I say unhesitatingly, that an act of grosser injustice—an act savouring more of resentment than of justice—cannot be perpetrated than to take the decision of that question upon a matter which materially affects the honour and character of the right hon. Gentleman. I speak this openly and plainly: and I say, moreover, that if it really be the intention to try the strength of parties, let that question be manfully brought to issue upon an address for the removal of the present Ministry from office; but do not injure and damage the character of an individual to decide a party question. Do not commit such an injustice as to remove —and I appeal to the honour and candour of every Gentleman in this House, when I ask if it be not an act of injustice to remove—a Speaker against whom you have not only admitted that there is no personal charge, but whom you have admitted to be pre-eminently qualified for the station, personally and individually. I ask again, is it not an act of injustice to remove him for the mere purpose of testing the strength of party. But we are told, that by the election of a Speaker this day we are to judge what are the principles, what the political opinions, what the expectations and views of the hon. Members of this House. I ask, then, whether it be put to the House broadly and distinctly, that the election of either of the hon. Gentlemen who have been nominated is to be taken as an indication that the majority of the House coincide with the principles and opinions of the right hon. Gentleman who may be placed in the Chair. Will those Gentlemen who intended to support Mr. Abercromby, declare that his principles are their principles, that his politics are their politics, and that by his public declarations they are to be bound? I am quite sure that my hon. Friend the Member for Surrey, (Mr. Denison) will not make any such statement; that hon. Gentleman has been throughout his life too steady and consistent a supporter of the Whig party to hold himself bound by the opinions or principles professed by the right hon. and learned Member for Edinburgh. But if this be the question, and if the case be so put that by my supporting the right hon. and learned Member for Edinburgh, I am to be understood as intimating my concurrence in the opinions the right hon. Gentleman professes, I must beg to say that from those opinions I widely dissent; and that being so called upon, I see in that call a ground for refusing to support him. There are many questions on which I differ most widely from the right hon. and learned Member for Edinburgh. I am opposed to—he is the supporter of—Triennial Parliaments, or at least he advocates shortening the duration of Parliaments. I am opposed to—and the right hon. and learned Gentleman is inclined to support—the Vote by Ballot; and I have without the advantage of the experience enjoyed by the right hon. and learned Gentleman, conclusively, I believe made up my mind against the voluntary principle as applied to the Church Establishment. I have freely and openly stated three points of political difference on the most important questions that can well be brought before the House, and I state them in answer to those who say that they are bound to support that candidate, with whose political views and political opinions, their own coincide. [*No, no!*] Is it not so? Why, what then becomes of the test of party strength and public principle? Either we are to support by our votes, and declare our agreement with the principles of the candidates, or we are not. In the former case I cannot vote for the right hon. and learned Gentleman opposite; in the latter, the House indicates no opinion, and the decision of the Question cannot be received by the country as a test of political strength. One of these alternatives we must abide by, and I leave to those Gentlemen who intend to vote in opposition to the right hon. Gentleman below me, to state on which of these grounds they rest their case; but by one of these two alternatives, the House must be guided in forming its decision. It would be impertinent in me to bring before the House the name of any individual, still less without having previously, from motives of delicacy, consulted with, or named, the subject to him. I confess, however, that if I were bound to make an exception, and to name a Gentleman whom I thought, from his knowledge of the House, and from his experience—setting aside the claims of the right hon. Gentleman below me, and supposing that he were no longer a candidate, or nominated for the office of Speaker—was most competent to the discharge of the duties of the office—if I were to select the individual whom I thought best qualified to do justice to it—if I were called upon to select from among those whom I have heard named, a Gentleman whose opinions approach most nearly to my own, and whom I should have the greatest pleasure in supporting, I should most undoubtedly name my right hon. Friend, the Member for the town of Cambridge (Mr. S. Rice.) If I were called upon to indicate my accordance with the political opinions of any man, I believe my sentiments, with certain slight differences, accord more nearly with those of that right hon. Friend than with those of the right hon. and learned Member for Edinburgh. I only put a case, for I entirely disclaim the doctrine which has been urged on this occasion, namely, that the choice of a Speaker is a test of the political opinions of the House. I do not agree, as is well known, in the political principles of the right hon. Gentleman below me; I do not agree, as is also well known, in the political opinions of the right hon. and learned Member for Edinburgh; but I stand upon those declarations which I have before made; and, consistently with my public opinions, already recorded consistently with the opinions I conscientiously entertain, and the more strongly after knowing that charges which had been insinuated, are not only not urged, but challenged to be urged, and triumphantly refuted—I cannot vote against the right hon. Gentleman. In justice, in candour, and in honesty, I must say, that no case has been made out for withdrawing that support which you have given, and cheerfully given, to the right hon.

Gentleman below me for so many years, and to that right hon. Gentleman, therefore, on public grounds, and on public grounds alone, not on party considerations, and not from agreeing with the right hon. Gentlemen in political opinion, my humble, but cordial support must be given.

Mr. *Abercromby* was understood to say, that he did not understand on what authority the noble Lord had represented him to have made up his mind on the voluntary principle, as applicable to the Church Establishment.

Lord *Stanley* begged the right hon. Gentleman's pardon. What he (Lord Stanley) meant to say was, that he (Lord Stanley) had made up his mind on the principle, and that he believed the right hon. Gentleman had not.

Mr. *Abercromby* assured the noble Lord that there were records of his opinions in existence which showed that the noble Lord was mistaken.

Mr. *Robert Ferguson* said, it is exceedingly painful for me to be obliged to address a few words to the House on this occasion, the more particularly from the feelings of personal friendship I entertain for Sir Charles Sutton. But I trust the House will bear with me in consequence of the painful situation in which I find myself placed. At an early period, when I perceived that there was likely to be a serious division on the Speakership, and that Mr. Abercromby would be nominated in opposition to Sir Charles Manners Sutton, I endeavoured to ascertain the real fact, and from undoubted authority I was informed that Mr. Abercromby had declined being put in nomination. I still thought it probable that there might be a division and resistance to the re-election of the late Speaker, but that it would not be viewed as an important party question. On this conviction, I certainly then allowed a communication to be made to Sir Charles Manners Sutton, intimating that I should not vote against him. It is unnecessary to allude to the intense interest now attached to the present vote —and considering it of the greatest constitutional importance with my own known and decided hostility to the present Government—if I had felt myself entirely a free man, I should on this occasion, on public grounds alone, have most unquestionably voted against my own brother; and in doing so, have felt that I neither should have sacrificed my freedom of action, nor any feelings of friendship, regard, or attachment. Situated, however, as I have already described myself to be, I had resolved to be absent on this occasion. But Mr. Abercromby having allowed himself to be nominated, the universal demand on every Reformer throughout the country to vote for him has become most decided. My own constituents have been, on good grounds, loud in their demands upon me to perform my duty. Many electors who have in various instances made great sacrifices in my support, have a full right to require of me the return they are entitled to expect. The demands made on me became so urgent, that I resolved to come to town and appeal to Sir Charles Sutton himself for a release from the understanding not to vote against him. Not a friend around me knew my intention till I arrived in town. I resolved, being so imperatively called upon, to recur to Sir Charles himself. In his answer, Sir Charles unfortunately chooses to consider his own individual character and honour to be at stake. This leaves me exactly in the situation in which I had unfortunately placed myself. I hold his character not to be at all at stake. This struggle has become a great and important constitutional question. If I had thought it otherwise, I should never have appealed to him on the subject. This, Sir, is my position in relation to the question before the House. I thank the House for their indulgence in listening to my statement, but whatever judgment may be formed of my conduct, I trust in God no shade of dishonour will ever attach to me from feeling myself, in the circumstances I have mentioned, not at liberty to give the vote which would otherwise have been dictated by my principles.

Sir *Charles Manners Sutton* begged permission to offer a very few words relative to what had just fallen from the hon. Gentleman opposite (Mr. Ferguson). He begged to assure that hon. Gentleman, and he referred him to that with respect to which he could labour under no mistake, that he (Sir Charles Manners Sutton) had never held him to any intention he might have expressed with reference to himself. It was perfectly true, as the hon. Gentleman had stated, that application had been made to him (Sir Charles Manners Sutton) to know whether, under the pressure of the different view the hon. Gentleman had taken of the subject, he would release that hon. Gentleman from the intention he had previously communicated. What was his answer? His reply was—and he appealed for the accuracy of his statement to the hon. Gentleman himself—that he advised him to take that course which should honestly and conscientiously satisfy his own mind, and that, whatever that course was, he might depend on its proving satisfactory to him. This was the first answer; it was then pressed upon him (Sir Charles Manners Sutton) that he should make this his own act. His reply was, that if the question did not involve a great personal imputation upon his conduct and character, he might; but that as he felt it did, and as he could not, therefore, be considered an impartial person, he would only beg to refer the hon. Gentleman once again to the test of his own honourable feeling, adding, that if the hon. Member satisfied other honourable men by his conduct on the occasion, he could not fail to satisfy him.

Mr. *Robert Ferguson* observed, that the right hon. Gentleman had stated, that his honour and character were at stake, and on that ground his determination had been founded. He then left the House.

Lord *John Russell* was unwilling to prolong the Debate by any observations of his; but after what had fallen from his noble Friend (Lord Stanley) with respect to the conduct of Earl Grey's Government, he felt he should not be doing justice to his own feelings if he did not offer some explanation of the vote he was about to give. In the very beginning and outset of his explanation, he must vindicate, on the part of the House of Commons, the right of electing the Member whom they please to fill the office of their Speaker. If his noble Friend's principle were to be carried out to its full extent, there was an end at once to the option of the House as to whom they would place in the Chair. His noble Friend had stated, that he expected an attempt would have been made to fix on the right hon. Member for the University of Cambridge the character of a dishonoured and convicted intriguer, and that upon such grounds the House would have been called on to reject the right hon. Gentleman's claim to the Chair. His noble Friend also seemed to think, that in the absence of such a charge, the House was bound to re-elect the right hon. Gentleman. If such were really the question on this occasion then was all power of choice at an end on the part of the House. For, according to his noble Friend's doctrine, there was no need of anything in future to decide the choice of Speaker, except that a late Speaker should get some anonymous journalist to accuse him of base and dishonourable conduct in counselling the dissolution of Parliament, and intriguing for the dismissal of Ministers; and that the party accused should come down to the House and protest on his honour, which could not be doubted, that he was innocent; immediately upon this the option of the House of Commons was at an end, for his noble Friend would have them believe that they were bound to replace the unjustly accused in the Chair, under the penalty of fixing upon him, if they refused to do so, the character of a dishonoured and convicted intriguer. He would take leave to assert fully and completely, that they were not there to listen to criminal accusations; that they were not there to pass a vote of censure; that they were not there to furnish matter for an impeachment; but that they were there to commence their proceedings with that first act—one of the most important which belonged to the House of Commons—of choosing their servant and their organ; and that they were not to be deterred from making the choice which they considered best, by the chance that somebody or other might say that by so doing they had affixed an unjust and unfair character upon one of the candidates for the vacant office. His noble Friend must know, whatever happened in Lord Grey's time, that it had been the practice not only in ancient times, but in periods much more modern, when the majority of that House, led by the Ministry, did not quite and entirely approve of the conduct of the individual who had formerly filled the Chair, to place another gentleman in it. It had been done by Lord North, in the case of Sir Fletcher Norton, who, in his Speech to the Throne in the other House, let fall some expressions displeasing to that Minister.* Lord North had the majority in the House of Commons with him, and he very rightly and properly said, "Let me have a Speaker who suits the majority." As well as he remembered, Sir Fletcher Norton used some of those ironical and sarcastic phrases of which he was known to be a great master, with reference to some proceedings of the House of Commons. Another Member, more agreeable to the majority of the House, was therefore proposed by the Minister, and elected. Now, were they to be told that the character of Sir Fletcher Norton would be disgraced to all eternity, because that House had not chosen to replace him in the situation he had formerly held? He thought, that if his noble friend should attempt to carry his doctrine to that length, he would not succeed in saving the honour and character of the right hon. Gentleman below him, but would be affixing dishonour and disgrace on the character of that House—the dishonour and disgrace of being no longer a reflective or deliberative body. After what had fallen from the right hon. Gentleman who lately filled the Chair, with respect to the imputations which had been cast upon him, that right hon. Gentleman would perhaps expect him to express some opinion with reference to those charges. He should not have done so had he not been called upon, but he had now no alternative. With respect to the first charge against the right hon. Gentleman —he meant his having busied himself in intrigues to overthrow the late Ministry—he must say, with regard to the right hon. Gentleman, as he should say of the Duke of Wellington, or the right hon. Baronet opposite, that he believed there was no ground or foundation whatever for the charge. He, therefore, at once acquitted the right hon. gentleman of anything that could fairly affect his honour, as having taken a share in any political intrigues. As to the other charge, he founded his opinion on the right hon. Gentleman's own statement. The right hon. Gentleman attended a Privy Council at the time that the Duke of Wellington, being then First Lord of the Treasury, held the Seals of three Secretaries of State. The right hon. Gentleman afterwards attended several Councils before the return of the right hon. Baronet to England. With respect to Privy Councils, he (Lord John Russell) believed that the ancient form was, to take the opinion of the Councillors generally. He might then observe that he believed Lord Cowper had on one occasion protested against the dissolution of the Parliament, under circumstances not dissimilar to the present. In later times the general practice as to Privy Councils had been for the King, and the Cabinet, or some member of it, to call to those Privy Councils only such persons as were Members of that Cabinet, and no others, agreeing as they might be disposed to do generally on all points brought before the Council. The summons to these Councils was no peculiar summons of his Majesty; it was no act of his; it was done by the Prime Minister, Lord Grey, Lord Melbourne, the Duke of Wellington, or whoever it might be, who called to the Privy Council those persons in whom he had political confidence. The right hon. Gentleman was accordingly summoned to the Council by the Duke of Wellington. Now, although he did not mean to impute to the right hon. Gentleman any wrong intention in attending, not only the first, but several of these Councils, he must at the same time say, that having been chosen Speaker of a House of Commons, in which the major portion of the prevailing opinion was totally adverse to the sentiments of those who then formed the Administration, the Speaker of the House of Commons ought not to have been mixed up with those of the individuals who attended such Councils. When he made this declaration, he said nothing more nor less than this, "that I think his attending those councils was conduct unbecoming the Speaker of the House of Commons." It had been argued—he did not know whether the right hon. Gentleman was aware of it—that it was impossible for an individual who receives a summons to attend a Privy Council, to take no notice of it. He believed that every body who had been concerned in cabinets and courts knew that there was generally that sort of indulgence, that if an excuse for non-attendance were offered, it was readily accepted. In the precedent to which he had already alluded, the Duke of Somerset, although he continued to hold the situation of Master of the Horse, no longer attended the Privy Councils. The Earl of Albemarle, who was also Master of the Horse, continued so for some weeks after he ceased to attend the Privy Councils. He (Lord John Russell) was quite sure that if the right hon. Gentleman had signified the slightest opinion, whatever his private wishes or feelings might have been, that it would not become him to take part in the proceedings he would have been readily excused. The number of Privy Councillors was not so small as to render the attendance of the Speaker of the House of Commons necessary, before the necessary amount of attendance could be obtained. There were no less than 200 Privy Councillors, and it could not therefore be necessary that the Speaker of the House of Commons should attend, against what he might venture to say would have been the declared opinion of the House of Commons. It could hardly be doubted, and he thought the right hon. Gentleman would scarcely be disposed to deny, that if the Privy Councils had been held in the middle of the Session—in the Easter recess, for instance—he would not have attended them. He surely would not have attended four or five Privy Councils of this kind in the Easter recess, and then have been prepared to meet the Parliament to fill the Chair, and to ask for their approbation of a provisional Ministry, consisting solely and entirely of the Duke of Wellington. Why then, he said with respect to this charge, there was no question of degradation, there was no question of disgrace, there was no question which could make the right hon. Gentleman retire from the House with mortified and painful feelings; but there was this fact, that the political bias of the right hon. Gentleman had not remained, as his noble Friend the Member for Yorkshire had told the House when he proposed him on a former occasion, entirely inert, but that it had got the better of him, and induced him to concur in acts, which, as Speaker of the House of Commons, he had much better have avoided. This would be the ground he fairly confessed, on which—holding the election of Speaker to be the indisputable privilege of the House of Commons—he should vote against the right hon. Gentleman and in favour of the right hon. and learned Member for Edinburgh. He was unable to discover any reason in what had been said by the hon. Members who preceded him why he should support the re-election of the right hon. Gentleman. It had been said, that the government of Earl Grey had approved of the right hon. Gentleman on two former occasions. Now, the first of these occasions was in the year 1831, when the right hon. Gentleman still continued in the office of Speaker, and nothing had occurred to render his removal at all necessary. Such was the state of the matter till the termination of the Session of 1832, when the right hon. Gentleman announced his intention to retire. He stated to the House, that he had served in the office of Speaker during six Parliaments, and for a period of sixteen years. The right hon. Gentleman must admit, that he was not one of the most grudging of those who on that occasion offered their tribute of praise and admiration to the right hon. Gentleman. On the contrary, he had borne testimony to his fair and upright conduct in the Chair during the sitting of the previous Session of Parliament, and it was his belief that the right hon. Gentleman had behaved in the most exemplary manner. If he had any party bias he did not show it, and there was, in fact, not that danger from its indulgence, while the minority was weak and insignificant, as there would be now, when the parties were so much more nearly balanced. In 1832, the right hon. Gentleman retired, having obtained an Act of Parliament, securing to him his returning pension, but he was again elected Speaker at the commencement of the first Reformed Parliament. He did not know what were the objects or feelings of other Members, in giving their support to the right hon. Gentleman upon that occasion; but, for his own part, he supported the right hon. Gentleman, because he felt exceedingly solicitous and somewhat diffident concerning the Reformed House of Commons. He had felt no doubt but that the Reformed House would, in point of intelligence, in point of honesty, and in point of integrity be not only equal, but far superior to any other House that ever had sat. But he did not feel sure that, having a great number of new Members, who had not turned their attention to Parliamentary forms, there might not be some deficiency in a knowledge of those forms, which might cause the Parliament to become the subject of undeserved obloquy. That being the case, he had thought it best, on that occasion, to depart from the general rule, that the Speaker should be the organ and Representative of the House, for the purpose of securing the advantage of the right hon. Gentleman's experience. If nothing of a particular nature had occurred since, perhaps the right hon. Gentleman might have been proposed for the Chair without much objection; but considering what had happened, and taking into account all the circumstances of the case, he thought there no longer remained any room to doubt as to the course which the House ought to take. But, laying aside that view of the subject, he now came to a question which he thought by far the most important, namely, how far public principle was involved in their choice. He thought it most important that the person who was placed in that Chair should be a man who was zealous on behalf of the liberties of the people, zealous on behalf of popular prerogatives; fit to be the organ of that House in its communications with the Crown; to represent their feelings firmly, zealously, and openly, without fear of offending, or a wish to conciliate those who might have the power of dispensing favours. In saying this he expressed not only his own feelings but the doctrine of the Reformed House of Commons, which it was especially necessary to vindicate at the present moment. They had heard the dismissal of one Ministry, and the formation of another Ministry, on certainly, different principles from that which was dismissed, discussed, and they were told that it was the prerogative of the Crown, to appoint the Ministers, and that the recent appointment of Ministers in opposition to the spirit of Reform was an exercise of that prerogative, which ought not to be questioned. The late Parliament, which he did not hesitate to say was as loyal to the Crown as any Parliament that ever existed, was suddenly dissolved; and they were again referred to the prerogative of the Crown as the cause of the dissolution. He admitted it was the prerogative of the Crown to dismiss and appoint Ministers, and to dissolve Parliaments; but the people also possessed their privileges, which on fit occasions were to be exercised, and if the sword of prerogative were drawn, it was time to be prepared with the shield and buckler of popular privileges. He knew of no right more sacred, no privilege less to be infringed, than of that House placing their Representative in the Chair. They had all been sent to that House by their constituents, not because theyliked their appearance or manners, but because they agreed with them in political opinion, and because their constituents thought that they would reform abuses. He would say the same thing. Let all those who wished to reform abuses choose a Speaker who fully concurred with them in that feeling, and who would be their proper and complete organ and Representative, and who would aid them in those Reforms. This was the doctrine in ancient times, when the prerogative was also asserted, as in the time of Charles 2nd, when the Speaker chosen by the House was refused by the Crown, and an attempt was made to force upon the House of Commons a Speaker favourable to the Court.* The attempt was resisted, and successfully resisted, and more especially by Sir Harbottle Grimstone who had been Speaker in a preceding Parliament, and Mr. Serjeant Williams, to whom he was always glad to give his meed of praise. He would call the attention of the House to the expressions made use of by Sir Harbottle Grimstone. He said:—"Shall we not have the liberty to choose our own servant, fit to do our own work? Other people would destroy our work, if we part with that which must enable us to do the work of them that trusted us, and sent us hither. If any one man may be imposed upon us, who will not do our work, it may be he will put what questions he pleases, and tire you out. This I have seen done, I will ask any man, who has influence upon this action, now we have chosen a Speaker, that he should be refused? Whoever broke the last Parliament, without the desire of this House, or the advice of the Privy Council, that man or men, that broke that Parliament, will break this too, to the utter undoing of the nation." Mr. Williams said:—"Will you sit down and give up your right for a compliment? If so, farewell choosing a Speaker for the future. Mr. Powle is a gentleman of great value, but let every man consider the right of the Commons of England." This was what he said on the present occasion. He also said let every man here consider the rights of the Commons of England. They had for their choice a man of the character he had mentioned, who, in addition to his legal and historical knowledge, added a sound knowledge of the Constitution, and a love for the privileges and liberties of the people. By choosing the right hon. Member for Edinburgh, they would give the country an earnest that they meant to set zealously about real Reform, and that they were not going to cheat the people by any unsubstantiated and mock Reform, while they exhibited sincere and undoubted loyalty to the Throne, and respect to the prerogative of the King, let them show that they were determined to maintain the privileges of the Commons.

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* Parl. Hist. xxiv.

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* Parl. Hist. iv. p. 1092.

The Chancellor of the Exchequer said, he should pursue the course which had been generally pursued by every one who had hitherto taken part in the discussion—and confine his observations to the question immediately before the House. Such a course appeared to him not only wise in relation to the topic under discussion; but to be especially necessary as they had not yet gone through one of the formalities essential to constitute a House of Parliament. He should, in the first place, speak as a witness; and it would be his duty, a duty perhaps unnecessary for him to discharge, to confirm, in as far as he had any knowledge, the statement of his right hon. Friend, the Member for the University of Cambridge. The only part of the transactions, however, to which he would speak, occurred after his return to this country. Of what took place previous to his arrival he could say nothing. Having undertaken the duty which his Sovereign had assigned him, he sought an interview with his right hon. Friend, for he was anxious from the high opinion he entertained of the talents, character, and experience of his right hon. Friend in public business to procure his assistance and co-operation. Having informed his right hon. Friend of the duty he had undertaken, and the principle upon which he should endeavour to construct his Administration; namely, that he should seek for aid from every man of character and talent who could unite with him consistently with his honour and his principles; he asked his right hon. Friend, whether or not it was consistent with his feelings and sense of duty to enter into the service of the Crown? He received from his right hon. Friend this answer—that he did not seek employment in any official capacity in the service of the Crown. There was a defect apparently in that answer which he would supply, as probably it would furnish the main reason which had induced the right hon. Gentleman at such a time to withhold his services from his Majesty. The right hon. Gentleman stated, that he had served in the Chair of the House of Commons for a period of eighteen years; and he felt, that if he were to enter into the arena of political discussion as a Member of the Government, he should, after so long a service in the Chair and his personal connexion with, and authority in, that situation; run the risk of lowering it, if he appeared on the floor of the House of Commons as a Member of the Government. That was the reason which his right hon. Friend assigned for his desire, to withhold his services from the public. When he understood from his right hon. Friend, that he was not willing upon that ground, to enter into the service of the Crown as a Member of the House of Commons, fearing that there something might occur to lower the authority of the office he had held, if he became a Member of the Government at a time when it was likely that there would be stormy discussions; having received that answer, he did not feel it to be his duty to consult his right hon. Friend, either as to the formation of the Government or its policy—and not one word passed between his right hon. Friend and himself on the subject. He had asked his right hon. Friend, whether he would wish again to fill the Chair of the House of Commons in the event of a dissolution? He replied, that he had no wish or feeling upon the subject—that it was a matter upon which he could have no personal interest in consequence of the former liberality of the House of Commons. At the same time, his right hon. Friend stated, that the impediment of ill-health which before led him to meditate retirement no longer existed; and, that if he (Sir Robert Peel) thought that his services would be of any value to the public, as long as his health would permit, he should feel it his duty not to withhold them, if placed in the Chair of that House. He had expressed no opinion on the subject, and least of all any wish that his right hon. Friend should resume the office, if there should be any indisposition on the part of the House to receive him. These were the circumstances, as far as his knowledge went, of the course pursued by his right hon. Friend. The question now was, whether, since his right hon. Friend had professed his willingness to serve, it was right and fitting that they should select another Speaker. The noble Lord, the Member for Devonshire, said, that the House had a perfect right to choose whom they pleased. Was that the question at issue? Who contested the noble Lord's position? The noble Lord, who was the loudest in claiming this prerogative, ought to know that it was a trust conferred for the public good, and ought to be exercised with discretion—that it did not become him to insist on the exercise of the barren and abstract right, but to consider the more important point—namely, whether it could be exercised with justice to individuals and advantage to the public. The noble Lord had said he could quote precedents, but with all his historical research, the only case which the noble Lord had been able to set against the example of Earl Grey and the first reformed Parliament was the conduct of Lord North with respect to Sir Fletcher Norton. A worthy precedent truly! Did that case proceed upon any intelligible principle? Was not the argument employed then something like that used upon the present occasion—namely, "You have given us offence upon one ground, or we wish to gain an advantage upon one ground, but we will assign another for depriving you of the means of rendering further service to the House of Commons?" The ground of Lord North's objection to Sir Fletcher Norton was a speech delivered by the latter at the Bar of the House of Lords. Did Lord North assign that as his reason for displacing him? No. His reason was pretended solicitude for the health of Sir Fletcher Norton. Thus it was evident, that Lord North was so convinced that whatever might be the abstract right of the House, they would, by exercising it, inflict injustice upon Sir Fletcher Norton, that he carefully avoided stating in the face of the House his real reason for wishing to get rid of him. If there was anything analogous in the two cases it was this, that both in the one and the other an offence was imputed, and the opponents of the candidate said, we will act upon that imputation as truth, and yet assign for not re-electing you some other cause. The noble Lord also quoted another precedent, that of Sir Edward Seymour, which he must have selected when it was thought that the charge could have been successfully brought against his right hon. Friend of having counselled or instigated the dissolution of the last Parliament, for the part of the precedent which extorted the slightest cheer was that in which it was insinuated, that if he should be re-elected, the Speaker would do as he had done before. But how did the case of Sir Edward Seymour bear upon the present one? The House of Commons had unanimously elected him Speaker. [A *Member:* Against the wishes of the King.] "Against I care not what," said the right hon. Baronet, with more than his accustomed energy. But he ought to beg pardon for his apparent warmth. He might say with sincerity, that he felt the duties which had devolved on him to be far too onerous for him to set in the House any such example as that of being betrayed into unbecoming warmth. He was about to observe, when he was interrupted, that the case of Sir Edward Seymour had not the least reference to the present discussion. The Commons then elected a Speaker whose appointment the Crown refused to sanction, and wished to promote the election of another; it was therefore evident that the strong and just reasons urged by the Commons for adhering to their original choice which had been quoted by the noble Lord, were applicable to another and totally different state of circumstances from that which now occupied the attention of the House. Not in the least doubting the right of the House to refuse to re-appoint the late Speaker, the question was, whether such a refusal was fair and just, not towards the individual alone, but towards the House. Was the House called upon by a sense of fitness, or justice, to choose any other person in the place of him who had received his appointment by the almost unanimous sanction of six Parliaments—who had served the House of Commons for eighteen years, against whom every charge had been abandoned, whose health permitted him again to undertake the office, and who was willing, without the possibility of his being actuated by any motive of personal interest, to continue in the performance of its duties? Would the House allow their late Speaker to suffer by six weeks of uncontradicted calumnies against him, uncontradicted by himself, or by his authority, until that day, and which calumnies, and not a sense of his unfitness for the office, had raised a feeling against him amongst the constituents of some hon. Members? Might he be allowed to ask the noble Lord opposite a question? Was it not the noble Lord's own impression —and if it were he was sure the noble Lord would have the manliness to avow it— that the late Speaker was concerned in instigating and provoking the dissolution of the Parliament? [" *Don't answer.*"] He appealed to the noble Lord's candour, Lord *John Russell* said, that his impression was, that the late Speaker went no further than this—that he took an active part with respect to the formation of a Government, which Government could do no other than dissolve the Parliament. His grounds of objection, therefore, had certainly been founded on the supposition, that the right hon. Gentleman had contributed by his conduct to the dissolution of the late Parliament.

The Chancellor of the Exchequer said, that the impression on his mind was, that the noble Lord at a public meeting had expressly declared the ground of his objection to the re-election of his right hon. Friend to be, not that he had attended councils, that he had been a party to the advice but through which the Parliament had been dissolved. That was the ground taken up by the public Press, and the ground on which some constituencies had advised their Representatives to vote against the re-election of his right hon. Friend. He implored hon. Members to reflect, that if their impression against his right hon. Friend rested originally on erroneous grounds, they were bound in manliness to refuse to vote upon those grounds. They might oppose the re-election of his right hon. Friend upon public principle, if they thought it applicable to the case; but if either they, or their constituents, originally formed the determination of opposing him upon the erroneous grounds which he had adverted to, he had sufficient confidence in their manliness and honour to believe that they would not act upon that determination. There had been something said about a "public principle" involved in the decision of the present question. Now, what were the arguments advanced in support of this proposition? One hon. Member said, that the Speaker ought to represent the opinion of the majority of the House. Was that a good principle to establish? Was it wise, or conducive to the dignity and just station of the Chair, that its possessor should ever be seeking favour with the political majority in order to secure his re-election? Was it not infinitely wiser to look at the qualifications of the individual to fill the office for which he was proposed than to consider his political opinions. But that question had been decided by the first reformed Parliament. Earl Grey and his adherents, having a great majority, thought it right to elect the right hon. Gentleman, though differing from them in political principles, whom some of the same party now opposed. They had the power then to enforce their opinions, and why did they depart from what they now called a great principle, and wished so urgently to carry into effect? The first decision of the first reformed Parliament carried with it this conclusion, that the House did not feel itself called upon to elect a Speaker whose political opinions were in accordance with those of the majority of its Members. But what was the explanation of that given by the noble Lord? The noble Lord said:—'We wanted to avail ourselves of the advantages of the right hon. Gentleman's character, judgment, abilities, and experience, and therefore we elected him." But he had served their turn; he had done his work; he had answered their object; and (with singular ingratitude he must say), they would now dismiss him, after they had established the principle of electing a Speaker not of their own political opinions, when they had the power of doing so. After they had availed themselves of his services, and after he had co-operated with them in establishing the character of the first Reform Parliament for decorum, they would unfairly take the very first opportunity to subject him to disgrace. ["*No, no,*"] No, no, indeed; for no disgrace could be heaped upon a man who had conscientiously done his duty. It was beyond the reach of a majority to do that; but it was not beyond the reach of a majority to injure the character of the House. The hon. Member who nominated the right hon. Member for Edinburgh, in a speech which he might be allowed to say exhibited much good sense, said that the election of Speaker was an important matter at the present time, because various important matters were about to be brought under discussion, and amongst others, questions relating to the constitution of the present and the dismissal of the late Government, and in order that justice might be done to the discussion of those questions, the hon. member urged that an impartial Speaker should be appointed. Well, whom did he propose? He had taken down the hon. Member's words: he said that the House required an impartial mediator to still the raging storms that would arise amidst the conflicts of exasperated parties. Did then the hon. Member propose to select a Gentleman who had stood aloof from party? No; his choice fell upon a distinguished member of the very Government whose removal was to be brought under the consideration of the House. If impartiality in the Speaker was so desirable, let not the House select a Gentleman to fill that office who was a member of that Government, the conduct of which was likely to occupy the attention of the House. There were two candidates for the Speakership—one, the late Speaker, who had served the House during eighteen years, and been elected by seven Parliaments; who had declined to accept office under the Crown because he thought it would have a tendency to lower the authority of the Chair;—the other a member of the late Government, with respect to whom not a word of disrespect should fall from his lips, but whose impartiality the House had no means of judging of. Could they doubt which they could give the preference to? The House was bound to be as careful not to do injustice to an individual as it was not to abandon its principles or to lessen its own character. The House had another and most important duty to perform. If it had a want of confidence in his Majesty's Government, let it make that fairly and openly a ground of address to the Crown; but do not let it do injustice to an individual whose high merits all admitted, by selecting him as the first victim of its displeasure. He resisted therefore, the Motion of the hon. Member for Surrey not only on individual and personal, but on general grounds; and as the office in question was the only one which the House had the power of bestowing let them make such a selection as would be in accordance with the examples which both the unreformed and the Reformed House had afforded them. The only objection of a personal nature made by the noble Lord to the appointment of his right hon. friend was, that he had attended some three or four Privy Councils which were purely of a formal character. That one charge was to invalidate the impartiality, dignity, ability, and experience practised during eighteen years. But what was the nature of this charge? If it were not fitting that the Speaker of that House should be a Privy Councillor let there be a regulation to that effect; but if he be one, why should he be blamed for performing the duties of the office? An erroneous opinion was entertained by a part of the public that the meetings of the Privy Council which had been referred to were deliberative assemblies. The noble Lord opposite also was quite mistaken when he said, that they were attended only by Members of the Cabinet. Any Members of the Council not Members of the Cabinet might attend, and they frequently did so. Their duty was merely ministerial, and they offered not a word of advice to the Sovereign. If the Speaker were in London, living in the House assigned to him for a residence by his Majesty, and received a summons to attend a Privy Council, on what ground was he to refuse to perform his duty? The charge respecting the late Speaker attending councils was not worthy of one moment's attention after his solemn disclaimer that he had been directly or indirectly a party to the dismissal of the late Government, the formation of the present one, or the dissolution of Parliament. For his part, he would give his vote in favour of his right hon. Friend, of whose experience and ability he had had so many proofs. He implored hon. Members to consider, that the office of Speaker was one which ought not to be made the subject of party feeling. The precincts of the Chair ought not to be converted into ground on which political battles might be fought. He resisted the appointment of the right hon. Member for Edinburgh, not because he had any doubt with respect to his qualifications for the office of Speaker, but on the double ground—first, that the qualifications of his right hon. Friend were superior from his long practice and experience; and secondly, because he thought that his supersession would be unjust towards him individually, and have a tendency to disparage the authority of the Chair, and the House of Commons itself.

Mr. *Cobbett* said, that the last time he had the pleasure of seeing his constituents they voted an Address of thanks to the King for having dismissed the late Ministers. He, therefore, was determined to do nothing which had a tendency to force those Ministers back upon the King. He could give many long reasons for not voting in favour of the right hon. Member for Edinburgh, but he would content himself with one. The right hon. Gentleman was one of the Ministers who hatched, brought in clandestinely, and pushed forward the inhuman Poor-law Bill.

Lord *Morpeth* said, that he would limit his observation to what seemed peculiar to his own position. His noble Friend, who opened the discussion to-day in so able a manner, reminded the House that, in the last Parliament, he (Lord Morpeth) had the distinguished honour of proposing the successful candidate for the office of Speaker, and most truly said, that he rested the recommendation of the appointment of Sir C. Manners Sutton on his eminent fitness for the discharge of the duties of the office. Not a syllable of what he then said did he now repent of, or wish to retract. On the contrary, if the right hon. Gentleman's opponents should fail in their object, they, at least, would find some compensation in yielding to no unworthy foe, and in seeing the functions of the office intrusted to most skilful guardianship. He thought, however that he and his friends were justified, on political grounds, in transferring the support which they gave to the late Speaker to his present opponent, and that without any stain upon the honour of the right hon. Gentleman, or any want of gratitude on their part for having profited by his previous services. His limited task at the present moment was to claim for himself as full a share of strict consistency as any hon. Member who might give a vote on the other side; for, on looking at the fullest record of the proceedings of the House, he found that, in the very act of proposing the late Speaker, before he came to the mention of the right hon. Gentleman's name, he used the following words, which were not included in the quotation made by his noble Friend:—" I feel it due to myself, and I am sure that the person I am about to propose will least grudge me the fair avowal, that strong feelings, both of a public and private nature, at one time induced me to contemplate a different arrangement with great pleasure. The circumstances, however, to which I allude have not arisen." Those circumstances were known to many, and, he believed, were understood by all whom he then addressed, not to have arisen in consequence of the absence from his place of his right hon. Friend, the Member for Edinburgh, which rendered it impossible that he could be nominated as a candidate for the Chair. Notwithstanding the high estimate which he formed and expressed of the late Speaker,—notwithstanding the support which the right hon. Gentleman received from that party with whom in public life it was his (Lord Morpeth's) pride to act, he signified that he was prepared to give the preference to the claims of his right hon. Friend, if they had then been brought forward. The feelings to which he then adverted of a public and private nature were his personal friendship for his right hon. Friend, and respect for his abilities and public career, and these remained as they ever had been. They would have led him to prefer his right hon. Friend; and he hardly need add, that, under circumstances materially altered, with so many incentives conspiring in his behalf, he preferred him still.

Lord *Dudley Stuart* was understood to say, that he felt bound to give a short explanation of the reasons which induced him to abstain from acting with that party with which he had hitherto acted. He trusted the House would permit him to explain the motives which influenced him in the course which he felt it his duty to pursue. Having been one of those who voted in the majority in the late Parliament on the election of Speaker, he considered that it was impossible for him on the present occasion, however painful it was for him to take part against his friends, to vote against the re-election of the right hon. Gentleman, unless it could be shown that he had done something wrong. The charges that had been brought against him had altogether failed. On the former occasion to which he had referred, many Gentlemen of all shades of opinion concurred in saying, that the right hon. Gentleman was the best Speaker that they could then choose; and some said, that he was the best Speaker that they could possibly have. He thought that it was the duty of the House to select the man who was likely to discharge the duty of the office with the greatest advantage to the House; and he could not help feeling that the late Speaker was better adapted for the office than any one else that could be chosen. He had been asked out of the House, how he intended to give his vote? and his reply was,—that as the right hon. Member for the University of Cambridge, while he held the office of Speaker, had obtained the unquestionable approbation of all parties, it was his intention to vote for the re-election of the right hon. Gentleman to the Chair, unless it could be shown that he had acted improperly. To him the answer of the right hon. Gentleman to the accusations brought against him was perfectly satisfactory. He had been told that no man could vote the right hon. Gentleman into the Chair if he were a sincere Reformer. He was aware that opprobrium might attach to him for pursuing the course which he intended to follow. He did not mean to say that he was indifferent on the subject, for he, as most men, felt it very unpleasant to submit to misrepresentation of their motives and conduct; but he would say, that no consideration of that nature should deter him from pursuing a line of conduct which he felt that duty dictated to him. He was satisfied that the country would not take a wrong view of the subject, nor consider a man an apostate from his principles because he was not willing to commit an act of injustice; and he considered that giving a vote against Sir Charles Manners Sutton on that occasion would be committing an actof the grossest injustice. The noble Lord (Lord John Russell) said, that the right hon. Gentleman was opposed to Reform, and, therefore, ineligible to the Chair; but, in his opinion, this might have been a good argument against the right hon. Gentleman when he was proposed to the last Parliament, but was not applicable at present. In conclusion, he had only to add, that he had not the pleasure of boasting of the private friendship of the right hon. Gentleman, he therefore could not be supposed to be influenced by feelings of that nature.

Mr. *Robinson* said, that it was impossible for any Gentleman who had heard the debate to come to any other conclusion than that the rejection of the late Speaker would be an act of great injustice, and the infliction of unmerited obloquy on a public servant, who had occupied the Chair of the House of Commons irreproachably, according to the concurrent opinion of men of all parties. The question was, and it ought to be so considered by every honourable man, whether the House would reject an old and tried servant, and elect another person in preference to him. He would not say a word in disparagement of the right hon. Member for Edinburgh, and if the Chair were vacant by the retirement of the right hon. Member for the University of Cambridge, he knew of no person whom he would more readily vote for; but as he entertained a decided conviction that it would be doing an act of injustice to reject the late Speaker, particularly after his manly and satisfactory explanation, he was determined to vote for him. He should consider himself unworthy of a seat in that or any other deliberative assembly, if he were not perpared to say, in the face of his constituency and his country (though the loss of his seat in Parliament might be the consequence of the vote he was about to give), that he was determined to take that course which honour and a due regard to character pointed out, rather than endeavour, by pursuing an opposite path, to acquire a little temporary popularity. They had been told by the noble Lord (Lord J. Russell) that under existing circumstances the election of Speaker was mixed up with the question of Reform. Now, he put it to hon. Members who were Reformers, whether they did not possess the power, if, as they had been told, they really constituted a majority of the House, of turning the right hon. Baronet (Sir R. Peel) and the whole of the present Ministers out of office, if the measures of the Government, when proposed, should prove to be unsatisfactory to the country? He was resolved to vote in favour of the election of Sir Charles Sutton, because he felt that the present question ought not to be made a party question. The House divided: For Mr. Abercromby 316; for Sir Charles Sutton, 306; Majority in favour of Mr. Abercromby, 10.

Names of the Members who voted for Mr. Abercromby.

Acheson, Viscount
Adam, C.
Aglionby, H. A.
Alston, R.
Andover, Lord
Anson, Sir G.
Astley, Sir J.
Attwood, T.
Bagshaw, J.
Baines, E.
Bannerman, A.
Barclay, D.
Barham, J.
Baring, F. T.
Barnard, E. G.
Barron, H. W.
Barry, G. S.
Beauclerk, A. W.
Beaumont, T. W.
Bellew, R. M.
Bellew, Sir P.
Berkeley, Hon.C. F.
Berkeley,Hn.G.C.G.F
Berkeley, Hon. F. F.
Bernal, R.
Bewes, T.
Biddulph, R.
Blackburn, J.
Blake, M. J.
Blamire W.
Blunt, Sir C. R.
Bodkin, J. J.
Bowes, J.
Bowring, Dr.
Brabazon, Sir W. J.
Brady, D. C.
Bridgman, H.
Brodie, W. B.
Brotherton, J.
Browne, D.
Buckingham, J. S.
Buller, E.,
Buller, C.
Bulwer, H. L.
Bulwer, E. G. E. L.
Burdon, W. W.
Burton, H. P.
Butler, Hon. P.
Buxton, T. F,
Byng, G,

Byng, Sir J.
Campbell, Sir J. F.
Carter, J. B.
Cave, O.
Cavendish, Hon. C. C.
Cavendish, Hon. G.H.
Cayley, E. S.
Chalmers, P.
Chapman, M. L.
Chetwynd, W. F.
Chichester, J. P. B.
Clay, W.
Clayton, Sir W. R.
Clive, E. B.
Cockerell, Sir C.
Codrington, Sir E.
Collier, J.
Conyngham, Lord A.
Cookes, T. H.
Cowper, Hon. W. F.
Crawford, W.
Crawford, W. S.
Crawley, S.
Crompton, S.
Curteis, H. B.
Curteis, E. B.
Dalmeney, Lord
Denison, W. J.
Denniston, A.
Divett, E.
Dobbin, L.
Donkin, Sir R. S.
Duncombe, T. S.
Dundas, Hon. T.
Dundas, Hon. J. C.
Dunlop, C.
Dykes, F. L. B.
Ebrington, Lord
Edwards, J.
Elphinstone, H.
Etwall, R.
Evans, Col. de Lacy
Evans, G.
Ewart, W.
Fazakerley, J. N.
Fellowes, Hon. N.
Fergus, J.
Ferguson, Sir R. C.
Fergusson, Rt. Hn. R. C
Ffrench, Fitz-Stephen
Finn, W. F.
Fitzgibbon, Hon. R. H.
Fitzroy, Lord C.
Fitzsimon, N.
Fitzsimon, C.
Folkes, Sir W. J. H. B.
Fort, J.
Fox, C. R.
Gaskell, D.
Gillon, W. D.
Gisborne, T.
Gordon, R.
Grant, Right Hon. C.
Grattan, H.
Grattan, J.
Grey, Hon. C,
Grey, Sir G.
Grosvenor, Lord R.
Grote, G.
Guest, J. J.
Gully, J.
Hall, B.
Hallyburton, Hn. D. G.
Harland, W. C.
Harvey, D. W.
Hawes, B.
Hawkins, J. H.
Hay, Colonel L.
Heathcote, J.
Heathcote, R. E.
Hector, C. J.
Heneage, E.
Heron, Sir R.
Hindley, C.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodges, T.
Hoskins, K.
Howard, Hn. E. G. G.
Howard, R.
Howick, Viscount
Hume, J.
Humphery, J.
Hurst, R. H.
Hutt, W.
Jervis, J.
Johnston, A.
Kemp, T. R.
Kennedy, J.
Kerry, Earl of
King, E. B.
Labouchere, H.
Lambton, H.
Leader, J. T.
Lefevre, C. S.
Lemon, Sir C.
Lennard, T. B.
Lister, E. C.
Littleton, Rt. Hn.
Lock, J.
Locke, W.
Lopez, Sir R.
Lumley, Lord
Lushington, Dr.
Lushington, C.
Lynch, A. H.
Mackenzie, A. J. S.
M'Cleod, R.
Macnamara, W. N.
Maher, J.
Mangles, J.
Marjoribanks, S.
arshall, W.
Marsland, H.
Martin, T.
Maule, Hon. F.
Maxwell, J.
M'Cance, J.
M'Taggart, J.
Methuen, P.
Molesworth, Sir W.
Moreton, Hon. A. H.
Morpeth, Lord
Mosley, Sir O.
Mostyn, Hon. E. M. L.
Mullins, F. W.
Murray, J. A.
Musgrove, Sir R.
Nagle, Sir R.
North, F.
O'Brien, C.
O'Brien, W. S.
O'Connell, M.
O'Connell, D.
O'Connell, J.
O'Connell, M. J.
O'Connell, M.
O'Connor, F.
O'Connor, Don
O'Dwyer, A. C.
O'Ferrall, R. M.
Oliphant, L.
O'Loughlin, M.
Ord, W. H.
Ord, W.
Oswald, R. A.
Oswald, J.
Paget, F.
Palmer, C.
Parker, J.
Parnell, Sir H. B.
Parrott, J.
Parry, L. P. J.
Pattison, J.
Pease, J.
Pelham, Hon. C. A. W.
Pendarves, E. W. W.
Pepys, Sir C. C.
Perrin, L.
Phillips, G. H.
Phillips, M.
Pinney, W.
Ponsonby, Hon. J. G. B.
Potter, R.
Poulter, J. S.
Power, J.
Power, P.
Poyntz, W. S.
Price, Sir R.
Pryme, G.
Ramsbottom, J.
Ramsden, J. C.
Rice, Rt. Hon. T. S.
Rippon, C.
Robarts, A. W.
Roche, W.
Roche, D.
Roebuck, J. A.
Rolfe, R. M.
Ronayne, D.
Rooper, J. B.
Rundell, J.
Russell, Lord J.
Russell, Lord
Russell, Lord C. J. F.
Ruthven, E.
Ruthven, E. S.
Scholefield, J.
Scott, J. W.
Scrope, G. P.
Seale, Colonel
Seymour, Lord
Sharpe, General
Sheil, R. L.
Sheldon, R. R. C.
Simeon, Sir R. G.
Smith, R. V.
Smith, B.
Speirs, Capt.
Spiers, A.
Stanley, E. J.
Stanley, Hon. H. T.
Steuart, R.
Stewart, Sir M. S.
Stewart, P. M.
Strickland, Sir G.
Strutt, E.
Sullivan, R.
Sutton, Rt. Hon. Sir C. M.
Talbot, J. H.
Talfourd, T. N.
Tancred, H. W.
Tennyson, Rt. Hon. C.
Thompson, P. B.
Thomson, Right Hon. C. P.
Thornley, T.
Tooke, W.
Townley, R. G.
Tracey, C. H.
Trelawney, Sir W. L. S.
Trowbridge, Sir E. T.
Tulk, C. A.
Tynte, C. K.
Tynte, C. J. K.
Villiers, C. P.
Villiers, F.
Vivian, C. C.
Vivian, J. H.
Wakley, T.
Walker, R.
Walker, C. A.
Wallace, R.
Warburton, H.
Ward, H. G.
Wemyss, J.
Westenra, Hon. H. R.
Whalley, Sir S.
White, S.
Wigney, I. N.
Williams, Sir J.
Wilbraham, G.
Wilde, T.
Wilkins, W.
Wilks, J.
Williams, W. A.
Williams, W
Williamson, Sir H.
Winnington, Sir T. E.
Winnington, H. J.
Wood, M.
Wrightson, W. B.
Wrottesley, Sir J.
Wyse, T. Jun.

Names of the Members who voted for Sir Charles Manners Sutton.

Abercromby,Rt.Hn.J.
Agnew, Sir A.
Ainsworth, P.
Alford, Lord
Alsager, R.
Angerstein, J.
Arbuthnot, Hon. H.
Archdall, M. junr.
Ashley, Lord
Attwood, M.
Bagot, Hon. W.
Bailey, J.
Baillie, H. D.
Bainbridge, E. T.
Barclay, C.
Balfour, —
Baring, F.
Baring, W. B.
Baring, Rt. Hon. A.
Baring, H. B.
Baring, T.
Barneby, J.
Bateson, Sir R. B.
Beckett, Sir J.
Bell, M.
Bentinck, Lord G.
Beresford, Sir J. P.
Bethell, R.
Bish, T.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Bolling, W.
Bonham, F. R.
Borthwick, P.
Bradshaw, J.
Bramston, T. W.
Brocklehurst, J.
Brownrigg, J. S.
Bruce, Lord E. A.
Bruce, C. L. C.
Brudenell, Lord
Bruen, Colonel
Bruen, F.
Bulkeley, Sir R. B. W.
Buller, Sir J. B. Y.
Burrell, Sir C. M.
Campbell, Sir H. P. H.
Canning, Sir S.
Carruthers, D.
Castlereagh, Viscount
Chandos, Marquis of
Chaplin, T.
Chapman, A.
Charlton, E. L.
Chatterton, C.
Chichester, A.
Churchill, Lord C. S.
Clayton, Lt.-Col. Sir W.
Clive, Viscount,
Clive, Hon. R. H.
Codrington, C. W.
Cole, Hon. A. H.
Cole, Viscount
Compton, H. C.
Conolly, E. M.
Cooper, Hon. H. A.
Cooper, E. J.
Coote, Sir C. C.
Copeland, W. T.
Corbett, T. G.
Corry, Hon. H. T. L.
Crewe, Sir J.
Cripps, J.
D'Albiac, Sir C.
Damer, D.
Dare, R. W. H.
Darlington, Earl of
Davenport, J.
Denison, J. E.
Dick, Q.
Dottin, A. R.
Dowdeswell, W.
Duffield, T.
Dugdale, D. S.
Duncombe, Hon. W.
Duncombe, Hon. A.
Dundas, R. A.
Durham, Sir P. C. H.
East, J. B.
Eastnor, Viscount
Eaton, R. J.
Egerton, W. T.
Egerton Sir P. de M.
Egerton,' Lord F.
Entwistle, J.
Estcourt, T. G. B.
Euston, Earl of
Fancourt, C. St. John
Fector, J. M.
Fielden, W.
Ferguson, G.
Ferguson, Sir R. A.
Fleetwood, P. H.
Finch, G.
Fleming, J.
Foley, E. T.
Follett, Sir W. W.
Forbes, Lord
Forbes, W.
Forester, Hn. G. C. W.
Forster, C. S.
Fremantle, Sir T. F.
Freshfield, J. W.
Gaskell, J. M.
Geary, Sir W. R. P.
Gladstone, W. E.
Gladstone, T
Godricke, F. L. H.
Gordon, Hon. W.
Gore, W. O.
Goring, H. D.
Goulburn, Rt. Hn. H.
Goulburn, Mr. Serjt.
Graham, Sir J. R. G.
Grant, Hon. F. W
Greene, T.
Gresley, Sir R.
Greville, Sir C. J.
Grimston, Viscount
Grimston, Hon. E. H.
Halford, H.
Halse, J.
Hamilton, Lord C.
Handley, H.
Hanmer, Sir J.
Hanmer, H.
Harcourt, G. G.
Hardinge, Sir H.
Hardy, J.
Hawkes, T.
Hay, Sir J.
Hayes, Sir E S.
Heathcote, Sir G.
Heathcote, G. J.
Henniker, Lord
Herbert, Hon. S.
Herries, Rt. Hn. J. C.
Hill, Sir R.
Hill, Lord A.
Hogg, J. W.
Holland, E.
Hope, Hon. J.
Hope, H. T.
Hotham, Lord
Houldsworth, T.
Hoy, J. B.
Hughes, W. H.
Ingham, R.
Inglis, Sir R. H.
Irton, S.
Jackson, J. D.
Jermyn, Earl of
Johnstone, J. J. H.
Jones, T.
Jones, W.
Kavannagh, T.
Kearsley, J. H.
Kelly, F.
Ker, D.
Kerrison, Sir E.
Kirk, P.
Knatchbull, Sir E.
Knox, Hon. J.
Lawson, A.
Lee, J. L.
Lefroy, T.
Lefroy, A.
Lennox, Lord J. G.
Lewis, D.
Lewis, W.
Leycester, J.
Lincoln, Earl of
Long, W.
Lowther, Lord
Lowther, Hn. H. C.
Lowther, J. H.
Lucas, E.
Lygon, Hn. Col. H. B.
Mackinnon, W. A.
Maclean, D.
Mahon, Lord
Mandeville, Viscount
Manners, Lord R.
Marsland, T.
Martin, J.
Mathew, Captain
Maxwell, H.
Meynell, H.
Miles, W.
Miles, P. J.
Miller, W. H.
Mordaunt, Sir J.
Morgan, C. M. R.
Neeld, Joseph
Neeld, J.
Nicholl, J.
Noel, Sir G. N.
Norreys, Lord
O'Neill, Hn. J. B. R.
Ossulston, Lord
Owen, Sir J.
Owen, H.
Palmer, R.
Patten, J. W.
Peel, Colonel
Peel, Sir R.
Peel, Rt. Hn. W. Y.
Peel, E.
Pelham, J. C.
Pemberton, T.
Penruddocke, J. H.
Perceval, Colonel
Phillips, C. M.
Pigot, R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Powell, W. E.
Praed, J. B.
Praed, W. M.
Price, S. G.
Price, R.
Pringle, A.
Pusey, P.
Rae, Sir W.
Reid, Sir J. R.
Richards, J.
Rickford, W.
Ridley, Sir M. W.
Robinson, G. R.
Ross, C.
Rushbrooke, R.
Russell, C.
Ryle, J.
Sandon, Lord
Sanderson, R.
Scarlett, Hn. R. C.
Scott, Lord J.
Scott, Sir E. D.
Scourfield, W. H.
Shaw, F.
Sheppard, T.
Sibthorp, Colonel
Sinclair, G.
Smith, T. A.
Smith, A.
Smyth, Sir G. H.
Somerset, Lord G.
Somerset, Lord R.
Spry, Sir S. T.
Stanley, Lord

Stanley, E.
Stewart, J.
Stormont, Lord
Stuart, Lord D. C.
Sturt, H. C.
Surrey, Earl of
Talmash, Hn. A. G.
Tapps, G. W.
Tennant, J. E.
Thomas, Colonel
Thompson, W.
Townsend, Lord J.
Trench, Sir F.
Trevor, Hon. G R.
Trevor, Hon. A.
Turner, W.
Turner, T. F.
Twiss, H.
Tyrrell, Sir J. T.
Vaughan, Sir R. W.
Vere, Sir C. B.
Verner, W.
Verney, Sir H. B.
Vernon, G. H.
Vesey, Hn. T,
Vivian, J. E.
Vyvyan, Sir R. R.
Wall, C. B.
Walter, J.
Welby, G. E.
Weyland, R.
Whitmore, T. C.
Wilbraham, Hn. R.B.
Williams, T. P.
Williams, R., jun.
Wilmot, Sir E. E.
Wilson, H.
Wodehouse, Hn. E.
Wood, T.
Worcester, Marq. of
Wortley, Hn. J. S.
Wyndham, W.
Wynn, C. W.
Yorke, E. T.
Young, Sir W. L.
Young, G. F.
Young, J.

ABSENTEES.

Belfast, Earl of
Bennett, J.
Burdett, Sir F.
Calcraft, J. H.
Campbell, W. F.
Cartwright, W. R.
Clements, Lord,
Cobbett, W.
Colbourne, N. W. R.
De Beauvoir, Sir J. E.
Dillwyn, L. W.
Ellice, Rt. Hn. E.
Ferguson, R.
Fielden, J.
Glynne, Sir S. R.
Jephson, C. D. O.
Johnstone, Sir J.V.B.
Knightly, Sir C.
Lennox, Lord A.
Milton, Lord
Pechell, G. R.
Pollen, Sir J.
Pollington, Lord
Ponsonby, Hn.W.F.S.
Pryse, Pryse
Sanford, E. A.
Smith, Hn. R. J.
Smith, J. A.
Stuart, Lord J.P.H.C.
Talbot, C. R. M.
Walpole, Lord

TELLERS.

Wood, C.
Clerk, Sir G.

PAIRED OFF.

Langton, W. G.
Wynn, Sir W. W

Mr. Abercromby was then led by his Mover and Seconder to the Chair amidst the loud cheers of his friends. The right hon. Gentleman returned thanks in a short speech for the honour the House had conferred upon him, but the cheering was so loud and continued, that the words were lost.

The Chancellor of the Exchequer, amid much confusion, said, that after what had taken place, it only remained for him to congratulate the right hon. Gentleman on his election to the Chair.

* * *

HOUSE OF LORDS,

Friday, February 20, 1835.

HIS MAJESTY'S APPROVAL OF THE SPEAKER.] The Lords Commissioners appointed to signify his Majesty's approbation of the choice of the House of Commons, were the Lord Chancellor, the Archbishop of Canterbury, the Earl of Jersey, the Earl of Rosslyn, and Lord Wharncliffe.

The Lord Chancellor, on the Commissioners taking their seats, directed the Gentleman Usher of the Black Rod to inform the Commons, that "the Lords Commissioners desire the immediate attendance of the Commons in this House."

Mr. Abercromby, accompanied by a numerous assemblage of Commoners, appeared below the Bar immediately afterwards.

Mr. *Abercromby* said—My Lords, I am to acquaint your Lordships that, in obedience to his Majesty's commands, his Majesty's faithful Commons have proceeded to exercise their undoubted right and privilege in the election of a Speaker. I have now to acquaint your Lordships, that their choice, however unworthy, has fallen upon me; and I now humbly submit myself to his Majesty's royal will and pleasure.

The *Lord Chancellor.* — Mr. Abercromby, we have it in command from his Majesty to assure you, that his Majesty is fully satisfied of your zeal for the public service, and that it is amply sufficient for the discharge of the arduous duty imposed on you; and his Majesty, therefore, does most readily and fully approve of the choice of his faithful Commons, and confirms you as their Speaker.

The *Speaker.*—My Lords, with all humility and gratitude, I submit myself to his Majesty's royal will and pleasure; and now, it is my duty, in the name, and on behalf of the Commons of the United Kingdom, to lay claim, by humble petition, to the free exercise of all their ancient and undoubted rights and privileges; and more especially to those of freedom of Debate, freedom from arrest for their persons, and their servants, free access to his Majesty whenever occasion may require it, and that his Majesty will be graciously pleased to put the most favourable construction on all their proceedings; and, for myself, I am anxious, and most earnestly entreat, that whenever I shall fall into error, the blame may be imputed to me, and not to his Majesty's faithful Commons.

The *Lord Chancellor.*—Mr. Speaker, we have it further in command to inform you, that his Majesty doth most readily confirm all the rights and privileges, which have ever been granted to, or conferred on, the Commons, by any of his royal predecessors. With respect to yourself, Sir, though his Majesty is sensible that you stand in no need of such assurance, his Majesty will ever put the most favourable construction upon your words and actions.

The Speaker and Commons retired.

HOUSE OF COMMONS,

Friday, February 20, 1835.

THE KING'S APPROVAL OF THE SPEAKER.] The House of Commons was summoned to the House of Peers.

Mr. Abercromby, attended by his proposer and seconder, and accompanied by a large number of Members, proceeded to the House of Peers.

On the *Speaker's* return, having taken his seat in the Chair, he informed the House of what took place in the House of Peers, and added, that he had once more to express to the House his unfeigned thanks for the distinguished honour which it had conferred upon him, and for the great proof it had shown of its confidence in him. He was well aware, that if he did not possess the full confidence of the House, it would be useless for him to hope, that he could adequately discharge the important duties of his station. It should, however, be his constant endeavour to gain that confidence by fidelity and zeal, and by pursuing a just and impartial course in support of the rights and privileges of that House.

The two Houses of Parliament were occupied till Tuesday, February 24th, in swearing in of Members.

HOUSE OF LORDS,

Tuesday, February 24, 1835.

KING'S SPEECH.] The King went in state to the House of Peers this day to open the Parliament for the despatch of business. His Majesty delivered the following Speech :—

" *My Lords and Gentlemen,*

" I avail myself of the earliest opportunity of meeting you in Parliament, after having recurred to the sense of my people.

" You will, I am confident, fully participate in the regret which I feel at the destruction, by accidental fire, of that part of the ancient Palace of Westminster, which has been long appropriated to the use of the two Houses of Parliament.

" Upon the occurrence of this calamity I gave immediate directions that the best provision of which the circumstances of the case would admit, should be made for your present meeting; and it will be my wish to adopt such plans for your permanent accommodation as shall be deemed, on your joint consideration, to be the most fitting and convenient.

" I will give directions, that there be laid before you the report made to me by the Privy Council, in reference to the origin of the fire, and the evidence upon which that report was founded.

" The assurances which I receive from my Allies, and generally from all Foreign Princes and States, of their earnest desire to cultivate the relations of amity, and to maintain with me the most friendly understanding, justify, on my part, the confident expectation of the continuance of the blessings of peace.

" The single exception to the general tranquillity of Europe, is the civil contest which still prevails in some of the northern provinces of Spain.

" I will give directions, that there be laid before you articles which I have concluded with my Allies, the King of the French, the Queen Regent of Spain, and the Queen of Portugal, which are supplementary to the treaty of April, 1834, and are intended to facilitate the complete attainment of the objects contemplated by that treaty.

" I have to repeat the expression of my regret that the relations between Holland and Belgium still remain unsettled.

" *Gentlemen of the House of Commons,*

" I have directed the estimates for the ensuing year to be prepared, and to be laid before you without delay.

" They have been framed with the

strictest attention to economy, and I have the satisfaction of acquainting you, that the total amount of the demands for the public service will be less on the present, than it has been on any former occasion within our recent experience.

"The satisfactory state of the trade and commerce of the country, and of the public revenue, fully justifies the expectation that, notwithstanding the reductions in taxation, which were made in the last Session, and which, when they shall have taken full effect, will tend to diminish the existing surplus of the public revenue, there will remain a sufficient balance to meet the additional annual charge which will arise from providing the compensation granted by Parliament on account of the abolition of slavery throughout the British dominions.

"I deeply lament, that the agricultural interest continues in a state of great depression.

"I recommend to your consideration whether it may not be in your power, after providing for the exigencies of the public service, and consistently with the stedfast maintenance of the public credit, to devise a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burthen of them more equally over other descriptions of property.

"*My Lords and Gentlemen*,

"The information received from the Governors of my Colonies, together with the Acts passed in execution of the law for the abolition of slavery, will be communicated to you.

"It is with much satisfaction that I have observed the general concurrence of the Colonial Legislatures in giving effect to this important measure; and notwithstanding the difficulties with which the subject is necessarily attended, I have seen no reason to abate my earnest hopes of a favourable issue.

"Under all circumstances you may be assured of my anxious desire, and unceasing efforts, fully to realize the benevolent intentions of Parliament.

"There are many important subjects, some of which have already undergone partial discussion in Parliament; the adjustment of which, at as early a period as is consistent with the mature consideration of them, would be of great advantage to the public interest.

"Among the first, in point of urgency, is the state of the tithe question in Ireland, and the means of effecting an equitable and final adjustment of it.

"Measures will be proposed for your consideration, which will have for their respective objects to promote the commutation of tithe in England and Wales—to improve our civil jurisprudence, and the administration of justice in ecclesiastical causes—to make provision for the more effectual maintenance of ecclesiastical discipline, and to relieve those who dissent from the doctrines or discipline of the Church from the necessity of celebrating the ceremony of marriage according to its rites.

"I have not yet received the Report from the Commissioners appointed to inquire into the state of Municipal Corporations, but I have reason to believe that it will be made, and that I shall be enabled to communicate it to you at an early period.

"I have appointed a Commission for considering the state of the several dioceses in England and Wales, with reference to the amount of their revenues, and to the more equal distribution of episcopal duties—the state of the several cathedral and collegiate churches, with a view to the suggestion of such measures as may render them most conducive to the efficiency of the Established Church, and for devising the best mode of providing for the cure of souls, with reference to the residence of the clergy in their respective benefices.

"The especial object which I have in view in the appointment of this Commission is to extend more widely the means of religious worship according to the doctrines of the Established Church, and to confirm its hold upon the veneration and affections of my people.

"I feel it also incumbent upon me to call your earnest attention to the condition of the Church of Scotland, and to the means by which it may be enabled to increase the opportunities of religious worship for the poorer classes of society in that part of the United Kingdom.

"It has been my duty, on this occasion, to direct your consideration to various important matters connected with our domestic policy.

"I rely with entire confidence on your willing co-operation in perfecting all such measures as may be calculated to remove just causes of complaint, and to promote the concord and happiness of my subjects.

"I rely also, with equal confidence on the caution and circumspection with which you will apply yourselves to the alteration of laws, which affect very extensive and complicated interests, and are interwoven with ancient usages, to which the habits and feelings of my people have conformed.

"I feel assured that it will be our common object in supplying that which may be defective, or in renovating that which may be impaired, to strengthen the foundations of those institutions in Church and State which are the inheritance and birthright of my people; and which, amidst all the vicissitudes of public affairs, have proved, under the blessing of Almighty God, the truest guarantees of their liberties, their rights, and their religion."

His Majesty retired, and the Houses adjourned. At five o'clock they again assembled.

The Address.] The Earl of *Hardwicke* proceeded to address their Lordships. He observed, that in rising to move the Address of thanks to his Majesty, in answer to his most gracious Speech, he felt how much he stood in need of their Lordships' kindest indulgence, that being the first time he had had the honour of presenting himself before them; and they must all be well aware that the nature of the pursuits connected with his profession (his Lordship is a captain in the Navy), was not favourable to the study of oratory. He therefore threw himself on their Lordships' kindness and consideration, being perfectly convinced that he should receive from a British House of Peers a fair and indulgent hearing. That feeling supported him at the present moment; and, were it not for his full confidence on that point, he was certain that he could not execute the difficult task which he had undertaken. He never remembered to have heard a Speech from the Throne which was likely to be so satisfactory to all classes of people as that which had been this day delivered. Whether, on the one hand, they looked to the statement which had been made as to the friendly situation in which this country was placed with respect to all foreign powers—whether they looked to the statement that had been given relative to the financial condition of the empire—whether they looked to what had been said with respect to the state of commerce—or whether, on the other hand, they directed their attention to the anxious wishes which had been expressed for the happiness and prosperity of the country, or to the strong desire which had been manifested to improve our ancient institutions, and, at the same time, the emphatic determination not to take any step by which those institutions might be endangered or broken down,—whether they looked to the right side or to the left, he felt satisfied that the British people would receive with grateful feelings the Speech from the Throne, containing, as it did, a declaration of the deep anxiety which his Majesty felt to promote their welfare and prosperity. The Speech itself entered into so many topics, that it would be out of all reason for him to express his sentiments on them at length, knowing, as he did, that every one of them would be brought before their Lordships in the course of the present Session. It was therefore his intention, as shortly as possible, to place the most prominent topics before their Lordships, and to conclude, by moving a dutiful Address in answer to the Speech from the Throne. It must be most satisfactory to their Lordships to find, that at the present moment, we were on the best terms with all foreign countries. He believed that at no former time, peace was more generally preserved throughout the world, neither did he believe that at any preceding period, its blessings were more widely or more justly appreciated. This was the case more especially in Europe, where only one solitary instance of warfare, (that in the North of Spain,) now existed. Within a short time, Spain and Portugal had renewed their friendly relations with this country; and, with the exception which he had before stated—the civil war now carried on in some of the northern provinces of Spain—Europe was in a state of profound peace. His Majesty endeavoured, as their Lordships knew, by a recent treaty, supplementary to that of 1834, to put an end to that intestine struggle. With Austria, Russia, and Prussia, our friendly relations remained unchanged. His Majesty lamented that the disputed question between Holland and Belgium was not yet settled. In that sentiment he was quite sure their Lordships must participate. They must feel the deepest regret that this long-existing dispute was not yet adjusted; feeling as he did so much attachment to the House of Orange and his country,—to which Europe at large owed so much,—and to which we were indebted for the best liberties we enjoy. When he referred to what was stated with reference to the commercial and financial situation of our country, he thought that their Lordships should feel every reason to be satisfied. The estimates, it appeared, would be considerably reduced, and such was the improvement in the trade and commerce of the country, that, although there had been a considerable remission of taxes, still a surplus would remain more than sufficient to meet the interest of the debt incurred in consequence of the abolition of negro slavery. Although he was not one of those who felt sanguine of the success of the measure, he assured their Lordships that he felt the greatest delight when his Majesty acquainted them that the Colonial Legislatures had generally concurred in giving effect to that very important arrangement; and he could not avoid observing that the Government was greatly indebted to a noble Lord present (the Earl of Mulgrave) for his exertions and assiduity, for his able aid and assistance, in successfully carrying this important measure into effect. The next topic touched upon in the royal Speech, was the state of the agricultural interest. His Majesty had, in his speech from the Throne, lamented the present depressed condition of that interest, and he had recommended to their consideration, whether it might not be in their power, after providing for the exigencies of the public service, to grant to that justly complaining body a considerable degree of relief. Now, if he might venture to make a remark on this subject, it would be to recommend all persons to abstain from agitating the country on the subject of the Corn-laws. If they were able to keep off the consideration of that question; if it were allowed to remain untouched, that circumstance, coupled with a knowledge that his Majesty's Ministers would pay, as they were called on to pay, due attention to the present situation of the agricultural interest, there was, in his mind, a certainty, that much might be, and would be, done for that interest. In his opinion, the mere agitation of the question to which he alluded was calculated to produce an unfavourable effect, and therefore he was opposed to it. He next came to that which he considered as by far the most important part of the speech—he alluded to that part which related to the Church. He believed there never was a time when it behoved every individual to stand forward more decidedly for the purpose of aiding and supporting his Majesty in his good and generous intentions. There never was a time when he more decidedly wanted that support. The Crown needed the support of all good and honourable men at this eventful hour. They ought, therefore, on this occasion to put an end to all party feelings. They ought to lay aside party tactics, and party prejudices, and doing so, they ought to proceed hand-in-hand to the Throne, and to thank his Majesty for his most gracious Speech. With respect to the tithe question in Ireland, his Majesty recommended the immediate consideration of the best means of finally adjusting it. On the subject of the commutation of tithes in England and Wales, he would say, he believed there was no question which more deeply interested the country than that; and he had no doubt, with reference to that question, that such a commutation might be introduced as would be considered just and equitable. Indeed, he stood himself a specimen (if he might be allowed so to speak) of that very species of commutation to which his Majesty alluded in his Speech; for on the estate which he had the honour to hold, and which he believed ran into eight or ten parishes, for a great number of years no tithe had been paid; a commutation paid by the landlord was established, much to the satisfaction of all parties. With respect to that part of the Speech which related to Dissenters, he would say that no man was a greater friend than he was to religious toleration. There was, however, considerable difficulty in a country situated as this was, in dealing with the subject of marriage. It would be necessary, whatever alteration was made, that great publicity and notoriety should attend the solemnization of marriage, at the same time that the conscientious scruples of the Dissenters should be respected. As to the question of Church Reform, to which his Majesty's Speech directed their attention, he had only to hope that every one of their Lordships would enter into that view of the subject which his Majesty had taken; that they would exert themselves to support the Church, and so to extend its foundations as that it should embrace all those who were anxious to rest within its pale. It was perfectly easy to conceive, and as easy to prove, that the Church Establishment was not now equal to the increased and increasing population. As a proof of this fact, he would refer to the situation of Merthyr Tydvil. Some years ago it was a very small and poorly-inhabited place; it now contained 60,000 or 70,000 inhabitants. This would show the necessity of extending the Church Establishment in such a way as would embrace the growing population. But when he admitted this, he must admit also that there was prodigious difficulty in dealing with so important a question. It became, in truth, a difficult question how they were to take, on the one hand, from that which was already established, for the purpose of bestowing it on the working clergy of England, and, on the other, how they were to provide for an increase of the Church Establishment. In whatever they did, and however they might be disposed to act, he was sure their Lordships would agree in this principle, that in all they did, in every improvement they made, their great object should be to support the Church, and that they should be convinced before they acted, that a great and practical evil had existed. He hoped that their Lordships would forgive him if, in elucidating his meaning, he quoted the words of Mr. Burke:—"We shall find," said Mr. Burke, "employment enough for a truly free and independent spirit in guarding what we possess from violation. I would not exclude alteration neither, but even when I changed it should be to preserve. I should be led to my remedy by a great grievance. In what I did I should follow the example of our ancestors. I would make the reparation as nearly as possible in the style of the building. A politic caution, a guarded circumspection, a moral rather than a constitutional timidity, were the ruling principles of our forefathers, even in their most decided conduct." He would only further say, that it was their duty to do everything, consistently with the safety of the State, to satisfy any call that might be made on them; but that, if they were asked to take a step which seemed likely to endanger the welfare of the country, then they ought, by every means in their power, to oppose and, if possible, prevent it. He would conclude in the words of the King. His Majesty said in his Speech—"I rely with entire confidence on your willing co-operation in perfecting all such measures as may be calculated to remove just causes of complaint, and to promote the concord and happiness of my subjects." That they would pursue that course he doubted not; and thanking their Lordships for the patient attention which they had given him, he should conclude by proposing a dutiful Address to his Majesty, in answer to his gracious Speech. The noble Earl read the Address, which was an echo of the Speech.

Lord *Gage* said, that he should ill deserve the indulgence which he felt at that moment he had but little right to claim, were he to attempt to occupy the time of their Lordships by entering into the detail of public affairs embraced in his Majesty's Speech, and which had been so ably treated in the speech of his noble Friend who had just sat down. His noble Friend had so fully entered into the topics of his Majesty's Speech, and into the affairs of the country, that he had left him little more to do than to declare that he most cordially concurred in the Address, and congratulated the country upon its general state of prosperity. He could not but feel, at the same time, most anxious to express his opinion that the prosperity of the kingdom could be secured only by a line of conduct which recent events had proved to be most necessary, and which his Majesty's Ministers were determined to adopt. This brought him to a point which in his opinion might influence the unanimity of their Lordships' decision respecting the Address. It must be evident to every body that the die was cast, and that a Government was formed under which every man would have to fight the battle of loyalty against revolutionary movements, or otherwise the country would sink to rise no more, at least in its present political form. He knew that many persons were aiming at ideal perfection, and were broaching Utopian systems or theories: but he would ask all such persons whether they had looked at intermediate States, and had reflected upon the dangers that must be encountered, the ruin that must be incurred by their rash and treasonable experiments. Few, he trusted, could be prepared for such changes—few amongst their Lordships could bring themselves calmly to contemplate the destruction of a Monarchy to which their minds were attached by the association of their earliest days; few, he hoped, could bear the thoughts of subverting that Church which had been formed by their ancestors, and by the Ministers of which those whom he now addressed had been educated, and to whom they had intrusted the education of their children—a Church which, by its learning, piety, and rational doctrines, had kept in check some hundreds of sects and schisms. He would tell all cold reasoners to consider these facts, and he would ask them whether they had calculated the progressive ruin, the misery inseparably attendant upon change, as well as the restlessness of mind, and the natural, the unavoidable, weakness and instability of all new institutions amongst a divided people? He would ask all such persons whether recent experience had given them any encouragement to hope for a more favourable result, and whether they would, for the sake of a mere experiment throw themselves into the arms of the enemies of the Throne, the hearth, the Church, and altar, rather than fight the battle of loyalty for the preservation of the Constitution? His Majesty had promised in the Speech of that day to carry on all Reforms as far as reason could justify, and as far as was consistent with the safety of the institutions of the country, and he called on the noble Lords whom he had the honour to address, to rally round the Sovereign, and to resist the mad career of innovators. He appealed to noble Lords whether they would refuse to answer the call, or hesitate to express their attachment to the Throne they had solemnly sworn to defend? The Speech which they had the honour to hear that day was so thoroughly void of offence that for his part he could not imagine that any objection could by any contrivance be raised against it. He would ask any man that was an honest and sincere Reformer in his heart, and who was not an anarchist, or a revolutionist, what would he have? A Reform King had urged to the utmost extent all practicable Reforms; but he had likewise urged that they should be carried on through the instrumentality of Conservatives, who were actuated by some regard at least to the safety of the institutions of the country. He felt sure that no rational and honest Reformer could oppose a measure of Reform because it proceeded from a Conservative Administration. It might be asked, could his Majesty's present Government satisfy the people? All he would say in reply was, that if they could not, nothing but the bloody lessons of revolution could. The people—he alluded to that class of them who went on to the extremes in Reform, and whom it was the fashion or the policy of certain politicians to court,—the constant aim of that class was the bringing about of those times in which they were to have less to pay and more to receive. It would, he thought, be impossible for Government to please that class. Why, since the peace, the burdens of the country had been reduced to an immense amount, and the larger part of these reductions were made by a Tory Government. He would admit, for he was disposed to give full credit to the noble Lords opposite for what they had done in that respect, that the late Government had done all in its power to reduce the burdens of the country. But were the people still satisfied? He believed not. What further reductions, then, would satisfy them? Were noble lords to satisfy the people by talking about the reduction of the Pension List? His Majesty's present Government had given promise of every reduction which could be fairly made, and of every measure which the circumstances of the country could require; but it would, he contended, be impossible even for Government to be carried on so as to satisfy the party to which he alluded. He begged noble Lords to reflect that the choice lay between his Majesty's present Government, and one of a directly revolutionary character. There was no medium. Between these extremes their Lordships had to make their choice. The question was, would they have the principles of Sir Robert Peel or those of that most honest (for he was honest with respect to avowing his principles) Reformer, William Cobbett? The choice must be on one side or the other. Let noble Lords reflect that when the artificial power of a State was once destroyed it could never be restored. He should give his cordial support to the Address.

Viscount *Melbourne* said: My Lords, we have been led to suppose that the Speech from the Throne, on the present occasion, would state more clearly and distinctly than has been customary in a formal document of this kind, the views and intentions of his Majesty's Government. And it is undoubtedly true that the Speech now under consideration does advert to a great number of topics, but whether in a clear, distinct, or decided tone, it is for your Lordships to say. For my own part, I cannot forbear observing, that there are some considerable omissions in that Speech as well as in the speeches of the noble Lords who have moved and seconded an Address in answer to it. With the exception of a few of the general observations into which the noble seconder has thought fit to enter, nothing has been said which could lead any one to suppose that there has been a total change in the Administration of the country; and hardly, that there had just been a dissolution of Parliament. The last subject is but just mentioned, and the first is not in the Address adverted to at all. I do not believe that there is a precedent in your Lordships' records of events of so much importance, having been passed over in so light and imperfect a manner, as that in which these events have been treated in his Majesty's Speech and the proposed Address. Personally concerned as I am in these events, it must be felt that it is extremely disagreeable to me that I should be the individual first to bring them under your Lordships' notice. But considering the magnitude of those events—considering the course they have taken, and the situation in which I have been placed, I trust it will not be thought egotism on my part to make a few observations upon them. With respect to the change of the Administration, I have nothing more to say than has already been said in public on many occasions. That step was determined upon by his Majesty, and approved, adopted, sanctioned, and carried into effect by the counsel and advice of the noble Duke opposite, the Secretary of State for Foreign Affairs. For that change, therefore, that noble Duke is undoubtedly responsible. He advised it, and I apprehend that it is a constitutional doctrine which will not admit of doubt, that he is responsible for it. Whether that change were prudent or wise, it is certainly not for me or my colleagues to determine. It is for the country—it is for your Lordships—it is for the other House of Parliament to decide that question. But when I consider the situation in which we are placed—when I consider the position in which the noble Lords opposite have placed themselves—when I consider the position in which they have placed the country—when I consider our actual state, and our prospects for the future, I must say that I do not see any thing that justifies the prudence or the discretion of that determination. The dissolution of the late Government was followed by the noble Duke taking upon himself the whole of the offices of State. He was first Commissioner of the Treasury, and held the seals of the three chief Secretaries of State. I do not mean to state any thing more strongly than the case admits of; but the noble Duke must be as well aware as I am, that, according to the present course and manner of conducting the Government, those offices, if they were assumed with a view to exercise their functions, are entirely incompatible one with the other. The noble Duke must be aware, that if one person held for instance the situation of First Lord of the Treasury, and also that of Secretary of State for the Home Department, it would place in his hands, without any control, the appointment to every great office in the State. It would rest solely between him and the Sovereign. The noble Duke must be aware that a person so situated would have the pecuniary resources of the State at his disposal, without check or investigation. Perhaps, it is not too much to say—not that I conceive the noble

Duke had any intention to exercise the powers of those offices—that such an intention, indeed, would amount to a treasonable misdemeanour; but allowing that the assumption of those offices by the noble Duke was only provisional, was only *ad interim*, on account of the urgency and necessity of the case, it is for the noble Duke to show the necessity and emergency that compelled him to take the course he did. The noble Duke is bound to do that in his justification before your Lordships; and I beg to suggest it as being at least a serious matter for your Lordships' consideration, whether, even if the noble Duke justified the step from the urgency of time, a solemn step should not be taken in order to record the special circumstances, and prevent so great a breach of the Constitution, from being drawn into precedent, by being acted upon by some other Minister in future times for other and more criminal purposes, and without the same justification. But the Ministry having been dissolved, the present Prime Minister in course of time returned from the Continent, and on his arrival the Ministry was constituted as it now stands. They shortly came to a decision, which, in my mind, presents the strongest grounds of charge against noble Lords opposite, viz., the decision of dissolving the late Parliament. Your Lordships will be pleased to observe, that all this took place while the country was in an admitted state of peace and prosperity. That it was so, is evidenced in the Speech we have this day heard from the Throne, at least as far as a perfect tranquillity and an increasing revenue is proof of the prosperity of a country. My Lords, I will not trust to my own inadequate powers of description to state to your Lordships the real condition of this country at that time. I will borrow the words of a person who, both from his position and his talents, must be considered of much higher weight and authority. The present Prime Minister, at a dinner given to him and others of his colleagues, at the Mansion-house, shortly after the formation of the Ministry, said, "It is impossible to deny, that since the occurrence of the important events that have taken place within the last six weeks, there has been calm and tranquillity in this country, which, after the political excitement in which we have lived for some time past, could not have been anticipated." Now it might be supposed that the worthy Baronet meant to say, that the change to which he alluded had produced the calm and tranquillity of which he spoke. I apprehend, however, that that was not his meaning, but, he intended to say, that on his arrival, he found the country in a state of repose. I am afraid that he was deluded by that calm. I am afraid that noble Lords opposite put a construction upon the tranquillity similar to that of the right hon. Baronet, and are equally deluded and deceived. If they had estimated the situation and character of the people of this country truly, they would have considered the absence of anything like tumult an unfavourable symptom for them, rather than one on which they could rely with confidence. The right hon. Baronet after some eloquent sentences, proceeded to state. "Gentlemen, I believe, if the public feeling of this country could be embodied into expressions, it would speak in words, to some such purport as this:—We are tired of agitation; we are tired of that state of excitement which, in private life, withdraws men from their proper stations, and which, in public life, exercise the energies of public men in any other matters than their moral duties. We will not yield to the pressure from without; we will not have this domination; we are content that the public opinion and the public will should be expressed through the authorized public channels, and by authorized public means." Now, I ask your Lordships, how it is possible that, any man holding these opinions, having these feelings in his heart, with these expressions in his mouth, could at that time have contemplated the dissolution of Parliament? Why, we have here the strongest argument against such a step I ever heard in my life. Here is the exact statement of every evil that can arise from a dissolution of Parliament, of all the misfortunes which such a public contest as follows that act must produce. What tends to agitation, and takes men from their proper business so much as a dissolution of Parliament? What is a pressure from without if it be not a general election. Is it not bringing the influence of the people to bear immediately upon their recognized and constituted organs? If ever there were reasons for not dissolving Parliament, here they are in the speech of Sir Robert Peel, at the Mansion-house. But in what course are you embarking?—

you have had one dissolution, and you menace us with another [" *Cries of No, no*"]. Then you do not contemplate another dissolution? It is only a few days ago, however, that I was reading a speech addressed by a noble Lord, a relative of a noble Duke on the cross-bench, to his constituents in Buckinghamshire, in which there was a distinct denunciation of that intention on the part of the Government. Such declarations promulgated through the country by supporters of the Ministry, cannot but influence the people, for they appear entitled to credit. I know that there have been former dissolutions of this nature. I know that the dissolutions which took place in 1784, 1807, and 1831, may be quoted as precedents. They were bold, dangerous, desperate measures all of them, and they were admitted to be so by those who advised them. But they were all temperate, prudent, cautious, and sagacious, compared with the dissolution which the noble Duke and his colleagues have advised. What was the justification of the dissolutions I have mentioned? Why, success, constant success, and that is the only justification of those who dare such bold measures. The Ministers have now met with more success than they expected, or had a right to look for; but they have not met with enough to justify their conduct. I do not take so gloomy and alarming a view of the state of the country as the noble seconder of the Address; but if there be any truth in the picture he has drawn, any reality in his apprehensions, in my conscience I believe to the conduct of his Majesty's Ministers, and especially to those of them who advised the dissolution of the late Parliament. the imminence of our danger is to be ascribed. Your Lordships will recollect that it is admitted, that the dissolution took place when the public mind was in a state of calm and tranquillity—when the country was approaching to that state of quiet and repose which, it is to be hoped, we are some day or other to enjoy. If so, the Parliament which has been just elected must be taken fairly to represent the opinions of the people. You cannot appeal from it with success. I recollect that the noble Lord, the Keeper of the Privy Seal, said, that the Parliament of 1831 was elected under excitement, and that the people were deluded by the name and authority of the King. Now that last topic has been employed pretty liberally upon the present occasion, but it has been employed on the side of the Government, and that Government cannot pretend to allege that the present Parliament does not represent the will of the people. Now what is the character of the House of Commons? Under what banners have its members obtained their seats? Every one of them under the banners of Reform. Some have said, that they are willing to go further than others; but all have Reform in their mouths. Must we not conclude, therefore, that the country is in favour of the principle thus recognized? The King's Speech is also, we are told a Reforming Speech. Why then was it not pronounced to the former House? Former dissolutions had definite and important objects in view. That of 1784 prevented the meditated change in the government of the East Indies; that of 1807 changed the policy of the country, most unfortunately, with respect to the Roman Catholics, and measures which we are ruing to this day were adopted. The dissolution of 1831 carried the Reform Bill. But what is the object of this dissolution, if the same measures are to be pursued, the same language held, as would have been held without a dissolution? There has been no object in view but a change of men, by a wanton act of power. No reason can be seen for the act, except the introduction of a certain number of Tory supporters of the Ministry into the House of Commons, dragging them through the dirt, making them desert their old principles, and act against all the professions of their former lives. I can imagine no other motive for the conduct of the Government unless it be embarking us in dissolution upon dissolution—a desperate and fearful game, of which I see no end unless it be the fulfilment of the predictions of which you were so lavish at the passing of the Reform Bill, that it would be impossible for the Government of the country to be carried on under that dispensation. I might, perhaps, go into some personal attack upon the consistency of persons, who having opposed the Reform Bill, now profess themselves Reformers; but it is not my intention to rake up old debates, or make personal reflections upon the conduct of individuals in the Government. All I will do is to desire generally that your Lordships will read this Speech, and consider the list of persons by whom it has been framed and produced, and say, whether it is consistent with their former lives, characters, and professions. As may be supposed from the observations I have made, it is my intention, of course not with any hope of success, but as a duty, for the purpose of giving your Lordships an opportunity of showing that your feelings are in unison with those of the country, to move an Amendment to the Address. That Amendment will express disapprobation at the dissolution of the late Parliament; but that disapprobation will be in terms perfectly respectful to his Majesty, and not at all trenching upon the just exercise of his lawful authority. The rest of the Amendment points to certain Reforms which are mentioned in the Speech from the Throne, but which are not to my satisfaction, nor, I think, to that of the country, pointed at in so distinct a manner in the Address moved by the noble Lord opposite as they ought to be. As some apprehension has been expressed in the country, in consequence of the change in his Majesty's Councils, with respect to the security of the Reform Act, in the Amendment I propose I wish your Lordships to declare that you will stand by and govern according to the principles of the Reform Act. It will, also, be somewhat more distinct on the question of the Reform of Municipal Corporations than is the Address moved by the noble Lords opposite. Your Lordships may be assured that this is a question which must be speedily settled on the principles expressed in the Amendment I hold in my hand. The noble Viscount concluded by moving the following Amendment:—"That we acknowlege with grateful recollection, that the Act for Amending the Representation of the people was submitted to Parliament with Your Majesty's sanction, and carried into law by your Majesty's assent. That, confidently expecting to derive further advantages from that wise and necessary measure, we trust that your Majesty's Councils will be directed in the spirit of well-considered and effective Reform; and, that the liberal and comprehensive policy which restored to the people the right of choosing their Representatives, and which provided for the emancipation of all persons held in slavery in your Majesty's Colonies and possessions abroad, will, with the same enlarged view, place without delay our Municipal Corporations under vigilant popular control, remove all the well-founded grievances of the Protestant Dissenters, and correct those abuses in the Church which impair its efficiency in England, disturb the peace of society in Ireland, and lower the character of the Establishment in both countries. That we beg leave submissively to add, that we cannot but lament that the progress of these Reforms should have been interrupted and endangered by the dissolution of a Parliament earnestly intent upon the vigorous prosecution of measures to which the wishes of the people were most anxiously and justly directed."

The Amendment having been read from the Woolsack,

The Duke of *Wellington* said, their Lordships would admit, that, after having been personally called on as he was by the noble Viscount who had just sat down, he should feel anxious to take the first opportunity which was open to him to offer a few remarks on what the noble Viscount had stated. The noble Viscount had directed a great part of his speech to show that the dissolution of Parliament was not necessary; and that he (the Duke of Wellington) was responsible for the dissolution of the late Government. He must beg the noble Viscount's pardon, and deny that he was responsible for those measures which caused the dissolution of the late Government and led to the formation of the present. That which led to the dissolution of the late Government was the absolute impossibility that it could go on longer without a noble Lord, who had ceased to be a Member of the House of Commons, by his removal from that to be a Member of their Lordships' House. He would beg to call to the recollection of their Lordships what had been stated by a noble Earl, who had for nearly four years been at the head of the Government, when Lord Althorp had resigned his office of Chancellor of the Exchequer and leader of the House of Commons. The noble Earl stated, that he could not, under such circumstances, continue at the head of the Government; for, by the resignation of his noble Friend, he had lost his right hand; and it would be impossible to carry on the Government with advantage from the time that that noble Lord had quitted power. But that was not all. The noble Viscount (Melbourne) had himself stated to their Lordships, as one of the grounds on which he had been induced to take office, that he had been assured that his noble Friend was willing to go on in office with him, and, therefore, that, with his assistance, he would consent to undertake to carry on the Government. But even that was not all, for he happened to know that, when the noble Viscount felt that he was likely to lose the aid of Lord Althorp, he declared that he should feel himself placed in great difficulty, for that the noble Lord was the very foundation on which the Government stood, and when that was removed, it was impossible to go on. When, then, the question of the Government came before his Majesty, he found it fairly put to him whether he would seek for other councils, and whether he would consent to other arrangements for the formation of a Government, or whether he would be content to abide by the particular Administration which at that moment existed. Let their Lordships only observe the situation in which the King was placed, and ask themselves, what he was to think in the new position in which he found himself. The noble Earl had been under the necessity of resigning when the noble Lord, then Chancellor of the Exchequer, had sent in his resignation. The noble Viscount, too, had declared that he considered the noble Lord's assistance essentially necessary to him. But when his Majesty was left by the noble Earl, and when Lord Althorp was removed from the other House, his Majesty, forsooth, was not to be permitted to consider whether his position was not materially altered by these events, and whether it would not be expedient for him to make some other arrangements for carrying on the public service. Everybody, indeed, but his Majesty was to be allowed to take into consideration the alterations which had taken place in the power of the Government by the loss of Lord Althorp in the House of Commons! Their Lordships, however, he was convinced, would not acquiesce in such a decision. They would see and declare that the Sovereign was fully entitled to take into consideration his own peculiar position, and the state of public affairs, and to deliberate whether it would be advisable for him to make other arrangements with respect to the existing Administration, or, if not, whether it would not be better for him to form a new Government altogether. Under the circumstances in which his Majesty was placed, he had thought proper to send to him (the Duke of Wellington); and he was happy to find that all those histories and stories which were propagated respecting Court intrigues—[Viscount *Melbourne:* "Not by me."]—He was quite certain of that. But all those idle stories were now entirely laid aside. It was now fully admitted on all hands that there never was any such thing. For his own part, he had had no communication of any description with the Court for two—ay, he might say, for three, months previous to the communication from his Majesty. He was then at his house in Hampshire; and it was as much a matter of surprise to him at the moment as it possibly could be to any of their Lordships. Certainly, he was previously satisfied that some great change in the Administration must be the consequence of the removal of Lord Althorp from the House of Commons; but when the communication reached him, it was as much a matter of surprise to him as it could be to many of their Lordships, if they were to receive a similar summons tomorrow. When his Majesty sent for him, he might have accepted the offer his Majesty was graciously pleased to make to him. He might have come down to their Lordships in a higher situation; but he did not recommend that course to his Majesty, which would have been accessory to the gratification of his own ambition. He did not act as if he had a personal object to serve. He recommended to his Majesty that line of proceeding which he conceived would be most advantageous for his service, which was, that he should send for the right hon. Gentleman then in the other House of Parliament as the individual in the present times most fit and capable of discharging the duties of the King's first Minister. That right hon. Gentleman was then in another part of the world, at a considerable distance from England; and it appeared advisable to his Majesty, and to him that he should take possession of the Government for Sir Robert Peel; and absolutely necessary, at the same time, whoever might carry on the Government until the right hon. Gentleman's arrival, that he should exercise no patronage, and take no step whatever which should in the least tend to diminish the full and free authority of the right hon. Gentleman when he might come to act. His advice to his Majesty, accordingly, had been to put him provisionally at the head of affairs as Secretary for the Home Department and First Lord of the Treasury. But the noble Viscount (Melbourne) accused him of holding the Seals of the three principal Secretaryships of State at the same time. But this, although gravely urged, was not a very serious charge. Having been appointed to any one of the Secretaryships, a man was competent to hold the Seals of the other two, in the absence of those to whom they might be confided. It was true, that he had, as Secretary for the Home Department, held the Seals of the three Secretaryships; but he had exercised no more authority than he should have done if he had been one of the three principal Secretaries, and his colleagues were absent. And was there, he would ask, no precedent for such a proceeding? Why, Mr. Canning, while he was yet Secretary for the Foreign Department, was on the 12th of April appointed First Lord of the Treasury, and he did not resign the Seals of the Foreign Department until the 30th of the same month; consequently, during the whole of the intervening time, he was both Secretary for Foreign Affairs and First Lord of the Treasury. He knew very well the difference that there was between the two cases. There were two Secretaries who had resigned their offices but had not given up the Seals. But before the noble Viscount proceeded to blame a transaction of this description, he should have shown that some inconvenience had arisen from it. He said that no inconvenience had resulted from it. He might say, too, that during the whole time he held the Seals, there was not a single office disposed of, nor an act done, which was not essentially necessary for the service of the King and of the country. Moreover, he might add, that Sir Robert Peel on his arrival found all things, as nearly as possible, in the same situation as upon the 15th of November. The noble Viscount (Melbourne), however, had observed, that the office of First Lord of the Treasury was incompatible with the other offices which he held. It might be true, if those offices were held for any length of time by the same individual. But, in the first place, he only occupied them provisionally; and, secondly, he would remark that constitutionally the First Lord of the Treasury had no more power than any other Lord at the Board. It was perfectly understood too, by all men, that the arrangement was not permanent, and that he only held the Government for another individual, who had been sent for by his Sovereign. Next, the noble Viscount (Melbourne) blamed him highly for having attended his Majesty, and facilitated his arrangements for the formation of a new Administration; and yet, strange to say, the noble Viscount himself it was, if he were not mistaken, who brought to town the order in consequence of which he had waited upon his Majesty. If there were anything criminal in attending his Sovereign, and assisting in carrying into execution the plan for the formation of a new Administration, what should be said of that Minister who brought a letter to town the object of which was to secure that attendance and co-operation, that Minister well knowing at the time what were the contents of that letter? Was the noble Viscount, then, the man to bring him forward as a criminal for having attended to the wishes of his Sovereign, when he himself was the bearer of those commands which carried him into the presence of his Majesty, and to the performance of those services which the noble Viscount now repudiated? If he were disposed so to argue, he might contend that the fact of the noble Viscount being the bearer of this letter showed the *animus* with which the noble Viscount had waited upon his Majesty, and the *animus* of the transactions between them, and also the *animus* of the communications between himself and his Majesty; but it was not necessary. He would only repeat that he never was more surprised than at the mode in which he had understood the arrangement was afterwards received by the noble Viscount. He trusted that he had stated enough to justify him in assisting to form a new Ministry. The next charge to which he had to advert was, that the Ministers had dissolved the late Parliament. With respect to this, it was true, that whatever Ministry advised the dissolution of a Parliament was liable to be called on for some reason which might have induced them so to do; but he had seldom heard of such a course of proceeding as that Ministers should be called upon on the first day of the assembling of Parliament, and told, "Give me some reason why you thought fit to dissolve; and justify your dissolution of Parliament, by showing that the effort you have made has been a successful one." But the noble Viscount, after heaping his censure upon them for dissolving, added, that in all cases where Parliament was dissolved it was success which justified the measure. If, then, they had made an experiment which was to depend upon so peremptory a criterion, surely he ought, at least, to allow them a short time to wait and see fairly what had been the result. The noble Lord and his friends had dismissed in June a Parliament which was chosen in November. Their experiments he acknowledged was perfectly successful. He hoped, that the present experiment would also prove perfectly successful. At all events, it would be but fair to give them some little time for the prescribed justification, and not to assail them on the first day of the Session. And now as to this success, he wanted to know, after all, how great was that measure of success which the late Ministry enjoyed in the late Parliament, when it appeared to rest solely and exclusively on the shoulders of a single individual; so, that when he was removed to the upper House, the Government to which he belonged had found it impossible to go on. As to himself, he was convinced that the course he had pursued was correct, and by it he was ready to stand or fall. He believed that a great number of persons was disposed and determined to support the Administration, and he hoped the House would have the patience to wait and see what were the measures the Ministers had to propose. He was not aware that there were any other topics on which it was necessary for him to speak. He had, he should think, said enough to show that there was no reason why their Lordships should see it expedient to adopt the Amendment of the noble Viscount. He ought, perhaps, to say, as to the Municipal Corporations, that it was not the intention of Ministers in any way to thwart the Commissioners, and they were unwilling to pledge themselves to any particular system of legislation without knowing what the Report of those Commissioners would be. In that mode of proceeding, their Lordships must he was sure, be disposed to acquiesce, as his Majesty informed them that the Report would be laid before them in a short time.

Lord *Melbourne*, in explanation, said—I rise to explain the fact to which the noble Duke has alluded, of my bringing from Brighton the letter which led the noble Duke to the presence of his Majesty. After I had had my audience of his Majesty on the 14th of November, I went into the room of Sir Herbert Taylor, and he requested me, as I was going to London immediately, to convey a letter from him to Sir Henry Wheatley, at St. James's Palace. I will not deny that I knew that that letter enclosed a letter to the noble Duke; but when so requested, would it not have been the most captious, churlish, ungracious conduct, if I had refused to allow my servant to carry it, and if I had said, 'No! send a messenger of your own?' and can any approbation of the act of sending for the Duke be implied from the manner in which I acted upon that occasion?

Lord *Brougham*.*—I have risen, my Lords, thus immediately after the noble Duke, because I thought that he manifestly misunderstood the sound constitutional proposition of my noble Friend (Lord Melbourne), and the consequences which flow from it—namely, that for the dismissal of the late Government—(for, like the noble Duke, I come at once to that measure, and to the dissolution of Parliament, as the grave charges against the present Administration)—the noble Duke, by accepting office on our dismissal, incurred the whole responsibility. This proposition the noble Duke thought that he met, relieving himself from its consequences, by solemnly protesting—and I, for one, my Lords, readily and perfectly believe in the sincerity of that protest—that he knew nothing, previously, of the circumstances of the dismissal,—that he never had been consulted about the matter—that he was wholly ignorant of the intentions and motions of the Court with regard to it,—and that he had no communication with any such quarter for above two months before the change took place.

The noble Duke was then evidently going on to say, that he was "astonished" at the event, when he recollected that astonishment would not be quite consistent with the previous expression of his opinion—an opinion by which the whole question was begged; but an opinion, which the noble Duke represented himself as having all along entertained, in common with the world at large,—that the elevation of Lord Althorp to the

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* From a Pamphlet published by Ridgway.

Peerage must, at whatever time it occurred, lead to the destruction of the existing Administration. The noble Duke, therefore, drew back and qualified his astonishment, and, in effect, only stated, that he was no further aware of what was about to take place, than every one must have been who had heard of the death of Earl Spencer. But he entirely misunderstood the doctrine of constitutional law, on which my noble Friend founded his argument,—that the noble Duke was responsible for the dismissal of the late Government. My noble Friend never asserted, that the noble Duke was, *de facto*, the adviser of that dismissal. No such thing! But am I, my Lords, at this time of day, to teach the noble Duke, who has been so long a Cabinet Minister, and who for three years and a half was First Lord of the Treasury,—notwithstanding his previous declaration, that he should be insane to think of occupying such a post—(but your Lordships well know that men very often find themselves in situations to which they never aspired, and discharging duties for which they never could conceive themselves qualified :)—am I, I say, to teach the noble Duke, after all his official experience, that for every act of the Crown, some Minister of the Crown is responsible by law, not only although he never counselled it; but, although even he was ignorant of that act in point of fact? The proposition of my noble Friend is the simple and constitutional principle, that the King can do no wrong; and therefore, for what he does, he must have advisers, and consequently responsible advisers. If that be the case with respect to all ordinary acts of the Crown, how much more emphatically must it be the case in reference to an act of such paramount importance as the dismissal of an Administration? Well; the noble Duke stands in [this very position. He is peculiarly, he is emphatically responsible for this change of his Majesty's advisers. For such an act, who, in any case, can be responsible but the persons who come into the places of those who are thus turned out? If the King take the Seals with one hand from one person, and with the other give them to another person, I defy any man who has read but the A, B, C of the Constitution, to deny, that he who comes into possession is responsible by law, for the act by which the other has been dispossessed. But he is responsible in fact, as well as in law. The noble Duke has attempted to defend his conduct by reasoning; but, my Lords, I must take leave, with all respect for him, to declare that more inadequate, not to say flimsy reasoning, I have never heard.

I repeat, that the noble Duke is responsible in point of fact, as well as in point of law. Without the noble Duke's assistance, the act of dismissing the late Government could not have been accomplished. If, indeed, instead of being dismissed, the Members of the late Administration had resigned, or if, asked to return, they had declared that they would not come back to their places, that would have been another matter. But, if, instead of resigning, they were dismissed against their will, and were asked to resume office, then those who took office after them became accessories after the fact to the dismissal; nay, before the fact, and actual accomplices in the fact itself, for without their acquiescence, that act of dismissal could not have been perfected. If any man to whom the King tenders an office, from which he has dismissed some other man, refuse to accept that office, the Crown is rendered incapable of carrying the dismissal into effect. It is only an inchoate act until the office of the individual dismissed be filled up. The Constitution is so cognizant of this principle, that it has been successfully asserted, that even when an individual resigns office, if no person can be found disposed to take it, the individual dismissed, and restored, is still to be considered its possessor, and that without any intermission, in consequence of his temporary removal. This was evinced in the well-known case of Mr. Pelham. Mr. Pelham having resigned the Seals of his department, one person after another was applied to by the Crown, in vain, to become his successor; and he was then re-appointed. The question arose whether Mr. Pelham, although he had given up the Seal of Chancellor of the Exchequer, was not, in consequence of that circumstance, still virtually its possessor? It was discussed in the House of Commons; and it was determined that, as the resignation of Mr. Pelham had not been completed by the appointment of a successor, that Gentleman was still in possession of the Chancellorship of the Exchequer; that even his again receiving the Seal, after he had given it up, could not vacate his seat, or render necessary a new election, his resignation not having been perfected. My noble Friend, therefore, is perfectly right (as I think I have shown) in maintaining that, both in law and in fact, the noble Duke is responsible for the dismissal of the late Government. There is, in truth, but little substantial difference between the noble Duke and myself; for, regardless of his responsibility, he has, with his usual manliness, defended that dismissal. He has admitted in substance what he may have appeared to deny in terms, and has taken on himself the responsibility in question.

Your Lordships have it now on the noble Duke's own authority, by public and solemn avowal, that he was the chief party in the whole transaction. You have his own positive, distinct, and articulate avowal; and he has assigned the only reason, as he furnished the only means, for changing the late Administration. I see, too, that in the Speech from the Throne, which we have heard this day, all other reasons for the dismissal are excluded for ever, because the grounds for the defence of the late Ministry are laid down in every line in the Speech, which is known and felt to be, as it constitutionally should be, the sole production of his Majesty's responsible advisers. In that document I see, throughout, one prevailing strain—it may have been extorted by the mighty force of truth—it may have been torn forth by the irresistible necessity of the case; but still, one strain of justification, if not of actual panegyric, on all the measures or their predecessors in office, pervades the whole composition. All abroad is tranquil—all abroad is at peace—except in one only spot of earth; this we learn from one passage. All our Alliances have been strengthened and improved; of this we are informed by another passage. Therefore, except in one case, has there been accomplished that most difficult of all tasks, as it was when we came in proclaimed to be, the maintenance of peace abroad; and that, not for a period of four months, which we were then told would be next to a miracle, but of four years. When I see that this great object has been achieved everywhere—with the single exception of a little corner of Spain—I am sure that every man must feel that no grounds can have existed for the dismissal of the late Government on account of their Foreign policy. I think I could tell what kind, liberal hand it was that penned those eulogistic passages—the hand of one who was once in all respects liberal, and who would still it should seem, retain his kindly and liberal feelings towards all his enemies. When I remember, my Lords, what fell from the present right hon. President of the Board of Trade,--formerly my esteemed Friend, now my respected adversary,—what fell from him, not in those days when that right hon. Gentleman discussed the Corn Bill in the other House of Parliament, night after night, with patriotic pertinacity, in exact conformity with the opinions which the mob out-of-doors held, with an obstinacy as pertinacious, if not as patriotic, endangering out-of-doors, the life and property of my noble Friend, (Lord Western,) whom the right hon. Gentleman only argued and declaimed against within the walls of Parliament—but at a later period, when the right hon. Gentleman, at the commencement of our Administration, declared that, unless by the intervention of a miracle, the tranquillity of Europe could not be maintained for four months; and, when I remember that it has been preserved by that very Administration for four years and a half, I cannot doubt that the eulogy on this subject, which his Majesty's Speech contains, proceeded from that just and liberal quarter, wrung from the President of the Board of Trade by the disappointment of his own prophecy. I cannot but suppose that the right hon. Gentleman,—not in a truant fancy for panegyrizing the by-gone Administration, —but from the strong pressure of truth upon his mind, has made it a point to have those passages inserted, wherein he records our success, and congratulates the country upon the performance of an infinitely greater miracle even than that to which he had looked forward.

This Speech, too, felicitates the country upon the happy results which have attended the emancipation of the negroes, upon the settlement of a question in which not only the prosperity, but the very existence, of our Colonies was involved. I had wished, I had longed, I had prayed, for this result; but I confess, now that it has arrived, the description of it, in the Speech, surpasses my most sanguine expectations. It comes fully up to my anxious wishes and desires, to find that not only there should have been no mischief, but that there should have been a vast amount of good easily and safely effected by it. Much of this is undoubtedly to be attributed to the spirit and capacity of my noble Friend,—whom I ought to have thanked sooner,—the late Governor of Jamaica; much also to the admirable arrangements and great talents of the distinguished individual who lately filled the office of Secretary of the Colonies; but of these praises, certainly, the Cabinet to which my noble Friend (Lord Stanley) belonged, must have its share, for having considered and digested a measure which had been wrought out with a degree of success that is all but unexampled,—crowning our hopes, and surpassing our expectations.

There is another topic touched upon in the Speech, to which I may also naturally be expected to advert. On the subject of the Report on the Municipal Corporations I will say nothing in detail, as it is not now before your Lordships; but I rejoice to hear that Commission spoken of no longer in the terms in which the act of advising the issuing of it was formerly described. The Ministry under whose Councils that Commission was issued, are no longer to be represented as spoliators of public and private property. Not much, indeed, is said upon the subject; but, at all events, the Commission is not characterised as one involving a violation of chartered rights, and an unheard-of and unexampled pillage of all property. I thank God that I have lived to see the day when it is acknowledged, not only with the assent, but amidst the unanimous plaudits of the Ministers of the Crown,—that the law upon the subject, as I had laid it down, is the law of the land,—that there is no illegality in the Commission which has been issued, and that I am not liable to impeachment for having advised that great measure. It is true that, from such corporations as Leicester and Norwich, and other haunts of corruption, appeals were made for the preservation of those ancient bodies, as the very pillars of the Monarchy, and the especial blessings of the Constitution. But all those appeals,—all the denunciations on the subject by learned council, and more learned recorders, seem to have "vanished into thin air," before the lights which the Cabinet has lately received. Whether their present path had been rendered clear to them before the late dissolution, or was lighted up by the results of the election, or made obvious by what has since occurred—among other things, by the event of the discussion as to who should be the occupant of the Speaker's Chair,—(that brilliant proof of the successful exertions of his Majesty's present Government, that sweet foretaste of the triumph which the enemies were to enjoy over the friends of Reform,) at what time this light first broke in upon his Majesty's Government, I neither understand, nor can I now stop to inquire. It is sufficiently gratifying to find that the present Government approve of that which may be deemed the most important measure, and must be admitted to have been at least one of the most important measures of the late Administration. I am also entitled to felicitate my noble Friends and myself upon the testimony which the Speech from the Throne bears to the success wherewith our domestic, as well as our foreign and colonial affairs, have been administered during the last four years; nor is there the least exception made against the late advisers of the Crown in reference to the commercial concerns of this great country. The revenues are flourishing,—trade is most prosperous,—congratulations are delivered upon our happy internal state,—and the clearest evidences are afforded of the general prosperity of the country, without a particle of blame being attached to—without the least imaginable imputation being cast on—the policy of the late Government; in both these particulars, nay, even as tried by the severest test of all, our success, we are abundantly acquitted.

Such being the character of the Speech, from the Throne, such the description of our foreign, domestic, and colonial situation, of our trade and our finances, it is not for a single moment pretended that the dismissal of the late Administration arose from any incapacity on their own parts;—it was for no want of capacity in forming their measures, or of vigour in executing them,—it was not from any want of success attending them,—it was not from any failure of any description, that, on the 14th of last November, the late Administration was dissolved. Then, my Lords, how has the noble Duke opposite endeavoured to account for that dissolution? He tells you that a noble Lord, now a Member of this House, had previously to the month of November, enjoyed, in an eminent degree, the confidence of the late House of Commons. Now, this is an argument which, for my part, I wish to put even more strongly for the noble Duke than he himself has put it. The argument amounts to this—that Lord Althorp possessed, to an unprecedented degree, the confidence of the House of Commons; and it is most undoubtedly true, that there never was bestowed upon any Minister more of the love, the respect, the confidence of the Representatives of the people, than were given to the late Chancellor of the Exchequer. The prodigious oratory of Pitt,—the unrivalled eloquence and gigantic powers of every kind possessed by Fox,—the Court favour of Addington,—the long experience of Sir Robert Walpole, and the many high qualities which secured to that Minister such power in the House of Commons—failed to realize for any one of those distinguished men any thing like the pre-eminence, in the partiality of the House of Commons, to which Lord Althorp had attained. My Lords, in classing Sir Robert Walpole with those whom I have named before him, I am not giving that Minister more than his deserts; true, he occasionally spoke lightly of matters which, in a purer age—an age of improved political virtue—are looked upon seriously; he has, therefore, laid himself open to the animadversion of those who are not, perhaps, more honest, though they be more decorous; but he was a great minister, and worthy to be named with the greatest; yet not even he—with all his great services to the Crown, which he saved for the House of Brunswick,—with all the favour he obtained and deserved from the country—not even he (and not one of his successors, whom I have now ventured to name) ever attained a larger share of the confidence of the House of Commons, than that which was enjoyed by Lord Althorp. If I did not fear that my saying so might be imputed to the influence of private friendship, I would even assert that Lord Althorp personally enjoyed more of the confidence of the House of Commons than any of his predecessors. My Lords, I know that in saying this, I am putting the argument very strongly for the noble Duke—as I said I should—and now what does it amount to? The noble Duke affirms that, without him, the late Ministry could not go on. By what tenure did they hold their offices? Did they hold them *pour autre vie?* Had they no estate in them, but for the life of another, and that other having no connexion with them? According to the noble Duke, it was not an estate for the life of the King, nor the life of the Parliament—they did not hold their places during good behaviour, nor during pleasure, nor as long as they were efficient, nor upon condition of their measures being attended with succes—not *quamdiu vixerint* or *quamdiu se bene gesserint*—no such thing; it was *quamdiu J. S. vixerit*—they held them, simply, during the natural life of the late Lord Spencer, and no longer—that noble Earl being in the seventy-eighth year of his age. The position contended for on the other side is this, that the moment Lord Spencer ceased to exist, that moment the Administration must cease to exist likewise. The conclusion arrived at is, that because the Commons had so much confidence in the present Earl Spencer, then Lord Althorp, therefore, they would have no confidence in anybody else, on his retirement — not merely that they trusted him, but that they could trust nobody but him. Upon whose authority does that statement rest? The House must have been surprised to learn, that this assertion has been made upon the single authority of Lord Grey; I regret to name him—I regret that his not having yet taken the oaths and his seat permit his being named in this House. I know of no event which I ever more regretted than the resignation of Earl Grey; it was an event which filled me with sincere sorrow when it took place, after the earnest endeavours of Lord Althorp and myself to prevent it. Yet, my Lords, am I delighted to find that one good has resulted from it—(the only good which I feel it possible to conceive, under any circumstances, it would be productive of)—it has caused the noble Duke, of a sudden to become partial to my noble Friend's policy. Your Lordships cannot fail to have observed that, all at once, the noble Earl has become a great and paramount authority on the other side of the House. He has been spoken of by the noble Duke as "the noble Earl who had so worthily filled the office of Prime Minister," the noble Duke forgetting how often that noble Earl had been charged with nothing less than a scheme of revolution and ruin—how often he had been threatened with impeachment—of what exaggerated accusations he had been made the subject—with what invectives he had been assailed out of doors, and how he had been systematically, and without measure, vituperated for each act of his official life within the walls of this House. What, my Lords? Have we not heard that noble Earl denounced as the author of a revolutionary Bill—as responsible for the revolutionary dissolution of Parliament—as having sown broad cast, the seeds of revolution—as having aimed, by means of popular excitement, at the destruction of all legitimate Government, the ruin of the House of Lords, and demolition of the Monarchy?—Yet now, my noble Friend is no longer a rank innovator—no longer a revolutionary schemer; he has become, in a moment, an authority of the highest order, and from which there can be no appeal. All those topics of vituperation—all those causes of animosity, are laid at rest—*pulveris exigui jactu,* as if the event of his removal from the world (far distant, I hope and trust) had already happened. All faults are now buried in oblivion, and my noble Friend's authority is held to be paramount, and, according to the noble Duke, must decide the question; the argument standing thus, because Lord Grey said, that Lord Althorp was the right hand of the Administration, it was, therefore, instantly concluded that the Government, without him, could no longer be carried on. It seems to have been held by the noble Duke, that I and my colleagues were guilty of great presumption in attempting to carry on the Government a moment after Lord Grey had pronounced it to be impossible, which, by the way, he never did. Your Lordships must recollect, the authority of Lord Grey was quoted on behalf of this most remarkable argument. The noble Duke, resting on Lord Grey's *dictum,* says:—'I was right in taking the 'responsibility of changing the Govern'ment, and in advising the Crown to make 'me and my right hon. Friend succeed 'the late Administration, because I had 'Lord Grey's opinion distinctly declared 'that they could not go on.' How strongly does such a mode of discussion remind me of the way in which texts of Scripture are quoted and twisted to serve the temporary purpose of an argument. Now, if the authority of the noble Lord is good for anything, it is equally good throughout—if wise, he could not be wise on one question only, and of no value upon all the others. If the noble Duke may quote him, so may I. The noble Duke is vastly ready to quote my noble Friend when his words help him to turn us out and take our places. When my noble Friend's name serves the purpose of the other side, they deify it; but if his name be made to serve the purposes of one side of the House, why not those of the other? I shall most unhesitatingly use the authority of my noble Friend also. I shall quote Lord Grey's authority to your Lordships repeatedly this Session. I, for one, shall not allow that there is a "single exception" (to cite the words of the Speech) "to the general tranquillity" which prevails, and to the alliance which has been cemented between the argument of the noble Duke and the authority of Earl Grey. [The noble and learned Lord was reminded by the Duke of Wellington of something he had omitted.] Lord *Brougham*: I will speak to that; let not the noble Duke be alarmed. The noble Duke may be alarmed at many things; he may be alarmed at the state of the House of Commons—at the vote, for example, to which it came the other night.

The Duke of *Wellington.*—Not at all. It was not of that moment which has been attributed to it.

Lord *Brougham.*—Ay, I dare say, that the noble Duke rather liked it; and if the Address be rejected by a larger majority than voted on that occasion, he will, of course, like it much better. If a majority of ten was a pleasant thing, a majority against him of forty, must be four times as good. But let not the noble Duke be alarmed at my passing over for the present the part of the argument to which allusion has been made,—I shall, with your Lordships' permission, come to it, but I must take my own time. To resume, however, the course of my observations,—I was about to quote Lord Grey when I was interrupted. The noble Duke will only use Lord Grey's authority, when it will operate to justify the turning out of the late Ministry, and the coming into office of the present Ministry. Now, Lord Grey is everything with the noble Duke and his supporters,—he is their glory, their *decus et tutamen;* but the moment I shall remind the noble Duke of another expression of Lord Grey's, I have no doubt he will break the image of his god, and cast it from him.

It is fit, then, that I remind the House of what the noble Earl said in the presence of 2,800 persons who heard his declaration, and by whom it was echoed with vehement applause. At that time, be it remembered, that Earl Spencer was three months older than on the occasion when Earl Grey spoke of Lord Althorp as the right-hand of the Administration. I should not have ventured alone to quote this authority, had not the noble Duke already made it his oracle. The partiality of friendship might be thought to lead me too far. But the noble Duke has set me the example; he has bottomed his justification of all that has taken place on the authority and words of Lord Grey; and I, myself, am therefore justified in using the language of the same eminent individual. Now, he spoke to this effect, in the month of September last year:—"These Tories, who are now ashamed of their name, who choose to shelter themselves under the new title of Conservatives."—I think, my Lords, that these, or something like these, were my noble Friend's expressions. I hope that the noble Lords opposite are not ashamed of their new name,—I see nothing wrong in it. I believe, that they will continue to be Conservatives, notwithstanding their present Reforming mood; and that, when they come to particulars, they will be found as much anti-Reformers as ever. "These Tories," said Lord Grey, "do they fancy that they can take the Government of the country into their hands?—let them only try it." I plainly perceive, from the movement of the noble Lords opposite, that they are ready to argue, that this phrase of Lord Grey's was an advice given to them, that they should take the Government. If they were to advance that as a reason for the course which they have pursued, I must admit, that it would be a much better reason—a much more logical one than that adduced by the noble Duke; at least, it would be quite of a piece with the argument by which it is attempted to make my noble Friend near me (Lord Melbourne) responsible for the change of the Government, because he allowed his servant to bring a letter to town, in which there was enclosed another letter to the noble Duke, unknown to my noble Friend. [*Cries of "No!" "No!" from the Ministerial side.*]

But I say "Yes." That was the statement given by my noble Friend,—that Sir Herbert Taylor asked him when he was leaving Brighton, if he would allow his servant to take a letter to Sir Henry Wheatley? To which my noble Friend answered, that he could have no objection; and that circumstance, it appears, is to make my noble Friend liable for what was contained in the letter, of which he could know nothing; and this is given as a proof, that my noble Friend could not go on with the Government, and was anxious that the noble Duke should turn him out. The expression of Lord Grey's which I was just quoting is, however, as good authority as that adduced by the noble Duke; and what were his words? "They take the Government!"—alluding to the Tories or Conservatives; "let them try it, and they will see what the country will do—what the House of Commons will do;" and then Lord Grey proceeded to give his reasons for considering such an event—an event in his view so calamitous, as absolutely, hopelessly, and ridiculously, impossible.

My Lords, I trust, that after what I have said respecting my noble Friend's services in the House of Commons, of the rank which he held in the confidence of his fellow-members (all of which Lord Grey by no means overrated, when he spoke of his retirement), and after stating, what I ought to have added before, that if it were possible for him to have had a more cordial support out-of-doors than he enjoyed within the walls of Parliament, that support Lord Althorp did possess,—that he was the idol of his countrymen, as he was the most approved and confidential servant of the Crown in the House of Commons:—I trust that no man will accuse me, no man will suspect me, of underrating the importance of the loss which the late Government sustained in the noble Lord's removal hither on occasion of Lord Spencer's unfortunate, but in no wise, unexpected decease. We had looked early to that event—repeatedly we had our attention called to it—long before the public were aware of Lord Spencer's serious illness, we had canvassed it, and regarded it in all points of view; we had contemplated all its probable results, and no one can doubt that as men of prudence—of ordinary prudence—in regard to the management of our own concerns, his Majesty's late Ministers must have felt, as they did feel, most deeply the loss of Lord Althorp,—not a total loss such as the noble Duke seems to think, and which alone would have made the present case similar to that adverted to by Lord Grey, but simply the loss of his services in the House of Commons, occasioned by his being removed from that House, and transferred to this. But had it been the loss of Lord Althorp to the Cabinet altogether, I am prepared to state that even great as it would have been to us, individually, as his Colleagues, and also to the King's service and the country, we were ready to meet the exigency of the occasion which must from thence have arisen; and we were prepared, without his great assistance, to have carried on his Majesty's Government. On this subject there was no hesitation,—on this point there was no doubt,—on this resolution there was no difference of opinion,—and, still worse, (for it is still falser —"if falser thing than false can be,") they who have represented, who have dared to represent, in the face of the fact, which all concerned intimately and thoroughly know, that my noble Friend ever expressed to his Majesty a shadow of a doubt of being able to go on with the Government, if his Majesty chose to continue him in it; those persons, I say, if they have been deceived; have been grossly deceived,—if they have fancied what they have asserted, they have imaginations approaching to unsoundness of mind,—if they have invented it, then, I know no language in which, in the presence of your Lordships, I could venture to express my opinion of their bad faith. My belief is, that those inventions, be they fictions of the brain, or be they the fabrications of falsehood, or be they the errors arising in the ordinary progress of a tale, in which, from the little additions that each tale-bearer makes, being himself the bearer of a part and the inventor of the residue, the responsibility is so divided that it is difficult to say where the fabrication takes place; whatever be their source, my belief is, that they all arose in London; and that not a shadow, not a vestige, not a colour of a pretext for the fable has been ever afforded from any quarter out of the city in which I am now addressing your Lordships. What, then, becomes of the argument, that the King was obliged to break up the late Government, because those who advised him so to do, always thought that if Lord Althorp went from the House of Commons, that Government could not go on; and because they chose to say, "though it did continue to go on, that it ought not to have done so;" and that Lord Grey had predicted it could not do so, under totally different circumstances, and alluding to a perfectly different event, the loss of Lord Althorp to the Cabinet.

The noble Duke asks, however, "Were not other persons as well as Lord Grey to judge of the effects of Lord Althorp's removal—was the King himself not to judge?" I am perfectly ready to meet the noble Duke on the point involved in that observation; it is, indeed, my Lords, one essential to the present question;—I mean the nature of the Crown's prerogative of choosing and changing its servants. It is the undoubted, the unquestioned, power of the Crown to do so: that I set out with; but, let us examine what is the meaning of this proposition, in order to apply it, and let us see how that prerogative is founded, in order to perceive how it is limited. In every State the public service must be provided for, and officers must be appointed by some one. Our Constitution—that of a limited and hereditary Monarchy—will not allow the principle, generally speaking, of election, either as regards the highest office of all, or as regards the inferior offices of the Ministry; descent provides for the one, selection for the other; and, accordingly, in some one power of the State the nomination to those offices must be vested. In whom is it vested? In the King. But it is a power exercised for the good of the people; it is not to be dealt with capriciously—it is not to be used as an amusement—it is not to be played with—not to be employed as a man would the power which he has of sending off one servant without notice, to gratify his own whims, and choosing another. A man might exercise this power of arbitrary dismissal if he pleased, and he would be the worse served; he would be the loser; but he alone would be the injured party; his interest alone would suffer. But the King holds the power in question, not for his own gratification—not at all for his own purposes. It is not he that is to be injured or to be benefited by the exercise of it. He is not a party to the risk—he is not a party to the gain or to the loss attendant on the exercise of the power—he is a trustee—he is himself a public servant—he is appointed and empowered for the benefit of his people. The trust which he exercises is wholly for their sake. It is not because some one should say "turn out this person and get another," that his power is to be therefore put in operation. He is not to place and displace his servants, because somebody may say—"Lord this is better than Lord that," or because somebody else may cry—"Oh! do turn out these men, and just let us have the Duke again." That is not the theory of the Constitution—that is not the condition on which the power exists—that is not the tenure by which the power is holden. So long as this power is exercised as it ought to be, it will be safely holden; and no one would think of questioning its foundation or objecting to its existence, or of wishing to restrict it; but it must be exercised soundly, publicly, and on stateable grounds. No Sovereign of this country has a right by the Constitution—(and, your Lordships will be pleased to observe, that in speaking of the Sovereign, I speak of course, only of his advisers, using his name merely to avoid circumlocution; and in reference to the present occasion, be it always remembered that those who succeeded my noble Friend were, in point of fact and of constitutional law, the advisers of the Crown, as I have already shown)—the Sovereign, I say, has no right—by the Constitution it is illegal—it is prohibited to the Crown—it is a wrong, an unlawful, a criminal act—to exercise that high function of dismissing its Ministers and choosing others, unless on grounds capable of being stated and defended. Now, my Lords, I ask, in what way has this prerogative been exercised on the present occasion? First, it has been exercised while Parliament was not sitting. In what manner has the prerogative been similarly exercised on former occasions? Since the Revolution there have occurred, I believe, but two instances of the Ministry being changed while Parliament was not sitting: both were in the reign of King George 3rd. One of them, in the year 1765, was a dismissal of Ministers after the prorogation of Parliament, in consequence of a quarrel with Mr. George Grenville, respecting the Regency Bill. The other case of dismissal was that of the first Rockingham Administration, in 1766; which having been formed while Parliament was prorogued, was dissolved likewise in vacation; and in both of those instances there was much of that kingcraft which George 3rd. began early, and practised late. These cases were not similar to the present; in each of them there was a distinct difference between the King and his servants; a difference irreconcilable—not one of a merely personal nature, but one of principle; and there was also this circumstance, in the latter instance—that it was then thought desirable to secure to the Crown and the country the services of the great William Pitt, Earl of Chatham. It may be true, that there are those who think that celebrated man may be paralleled in the present day, and that some such motive existed now, though for my part, I know not who their Chatham can be. Be that, however, as it may, Lord Chatham took an earldom, and left the House of Commons, which no one ever did voluntarily, without bitterly ruing the step when he found the price paid, to be the loss of all real power. Accordingly the great Prime Minister was soon turned out; the King was advised to take advantage of his want of weight; his well-known Administration, which Burke has described as "a piece of tessellated pavement, with here a bit of black, and there a patch of white," was soon broke up. I hold, my Lords, that if it ever becomes necessary to dismiss a Ministry in vacation—and I would not go the length of saying, that such an occasion may not arise,—Parliament ought to be assembled immediately.

I will now defy my opponents to give—unless in the times of the Tudors or of the Stuarts—a single instance where there has been any great Ministerial change, otherwise than on assignable, constitutional, and public grounds. If Ministers resigned that was a sufficient cause. If they were torn among themselves by endless dissensions,—if they differed from the Sovereign, — if they differed from the country at large,—if their measures were evidently ruinous,—if dishonour abroad and disaster at home, marked the whole tenour of their Government,—any of these might have been constitutional grounds of dismissal;—and, above all, if there happened to be a general feeling of distrust and disapprobation throughout the country, that would form a sufficient ground for such a procedure. But I confidently ask your Lordships whether any one of these reasons, or any particle of any one of them, applies, in the slightest possible degree, to the present case? The King's

Speech answers the question decisively, so far as regards any difference between the late Ministry and the country, and so far as regards the merits and the success of measures, Ecclesiastical or Civil, and whether connected with the Administration of affairs at home or abroad. As to any difference among the Members of that Ministry, I will say, my Lords, that from the change which took place when the Administration of the noble Viscount was first formed, till it went out, there never was the shadow of the shade of a difference of opinion among them, even as to matters of detail. There was no one point of disagreement in regard to any line of policy—no one instance of hesitation in any one person respecting the opinion formed by another. Difference with the Sovereign there was none; no question had arisen which could occasion any such disagreement.

Thus, then, not any one of the reasons which I have enumerated existed for changing the late Ministry. I have stated that George 3rd. was a Sovereign well-practised in changing and making Administrations; and that measure of experience which had been little in 1766, and which, being so limited, led him in those days to commit some errors, forty years afterwards (that is, in 1806), combined with the lesson of the American war and its necessary consequences—induced him to adopt a prudent and successful course, being then advised by the friends of the present Cabinet, by a noble and learned Lord (Lord Eldon) now in this House, by the late Lord Liverpool, the late Lord Londonderry, then Lord Castlereagh, by Mr. Perceval, Mr. Canning,—all of whom succeeded the Administration which was then turned out. What took place on that memorable occasion, puts the stamp of authority on all I have stated, and vindicates the opinion I have expressed of the limits within which the King's prerogative should be exercised of dismissing his Ministers. Observe the course pursued by George 3rd. The Ministry was not dismissed without tangible and producible reason; and it was dismissed during the sitting of Parliament. There never was a greater desire entertained, either at Court, or by a party — the Conservative party, then called Tories—to get rid of a Government, than there was to get rid of the Government of the Whigs, after the death of Mr. Fox,—and all the parties well knew, no doubt, the importance of that extraordinary man to his Administration. But how differently were things done then, by wiser men, and in better times! The Whig Administration had no favour at Court; the King's favour they had certainly not enjoyed since the coalition in 1784, nor had they, I presume, the favour of the Tory courtiers. Well, Mr. Fox died on the 13th of September, 1806, there being ample notice of his approaching end for two months before, in consequence of the operation he was obliged to undergo. There was no hurry,—neither public nor secret advisers, nor illustrious Dukes were taken by surprise. Did his Majesty then, on the 14th of September, on the death of Mr. Fox, act as his present Majesty on the 14th of November last was advised to do on the death of Earl Spencer? Did those great Statesmen who counselled George 3rd.—experienced, sage, eminent, and discreet men as they were,—so well versed in the theory and practice of the Constitution, so skilled withal in the arts of Cabinet-making,—ever think of advising him, because Mr. Fox was dead, instantly to turn out the Whig Administration? No such thing; no such advice was given; the Ministers were allowed to remain in office till the end of March following; not from any want of inclination to turn them out—on the contrary, there was every inclination steadily, unremittingly, uninterruptedly manifested, to employ any opportunity that could be taken advantage of for dismissing them; but they were allowed to remain in office six months longer, because the Constitution would not allow them to be turned out without some assignable cause. Nay, the King even allowed them to dissolve the Parliament after the death of Mr. Fox, although he very plainly must have foreseen that a second dissolution would thus be soon rendered necessary; and he only removed them in March, when the Catholic question occurred to create a disagreement. Such, however, is not the course which his present Majesty has been advised to pursue. It is thought that an opportunity offered, through the loss of Lord Althorp, for turning the late Government out, although no charge whatever had been urged against them—although no difference of opinion upon any question existed among themselves,—no disagreement with their Royal Master,—

and although they were still prepared satisfactorily to go on conducting the Government of the country.

I now, my Lords, approach another part of the proceedings—the dissolution of Parliament which followed. And here I cannot but crave your attention to the gross, glaring, and almost incredible inconsistency of the argument of the noble Duke—I do protest, that if I had not heard it with my own ears, I could not have believed that such an argument would be hazarded. The Ministers (says the noble Duke) "were turned out because Lord Althorp was taken from the House of Commons." That was his argument. After Lord Althorp, who so deservedly and so eminently possessed the confidence of the Commons, left the lower House of Parliament, what reason, argues the noble Duke, had the noble Lord (Lord Melbourne) to believe that the House of Commons would continue their confidence under another leader? "Therefore," he says, "the late Ministry was dissolved." Crippled as they were by the loss of Lord Althorp, the Commons could no longer confide in them. That is the noble Duke's reason. But then, unfortunately, the next thing he did was to dissolve the House of Commons too. "I turn out the Ministers," says the noble Duke, "because the loss of Lord Althorp will prevent the House of Commons from following the Ministry enough; and then I turn out that same House of Commons itself, because it would follow them too much—though they have lost Lord Althorp." There is, in truth, but one reason for turning out that House of Commons. You may disguise it as you will—you may wrap it up in boisterous expressions—you may cover it over with flimsy pretexts—you may turn periods upon it in the Speech and in the Address, and then follow them up, in debate, with a cloud of similar periods, endeavouring, as it were with smoke, to veil it from our eyes; but we pierce through the cloud—we blow it away—we know that there could be but one reason for turning out the late House of Commons. And what was that? That it did not confide sufficiently in the late Ministers? That the late Ministers had lost the confidence of the House of Commons, having lost Lord Althorp? Oh, no, no! But the late Ministers still had the confidence of the House of Commons, though they had lost the inestimable services of Lord Althorp; and that House the new Ministers would not allow to remain, because they knew what its first vote would be,—not that it could not follow the late Ministers, but that though it regretted the loss of Lord Althorp, it would still confide and trust in them. My Lords, men ought to be consistent in their pretences—if I am forced so to term their arguments. The *ratio suasoria* and the *ratio justifica* are not always the same; the one is often found to be utterly irreconcilable with the other. But, when men put forward a justifying argument, they should take care at least that it is not grossly irreconcilable with their conduct; for this discrepancy is like a rent, through which the real reason is descried. The noble Duke and those who support him, might have argued that the loss of Lord Althorp to the House of Commons caused the change of Ministry, because the Commons would no longer support the Government; they might have rested on that ground; but when the noble Duke follows up that change by dissolving the House of Commons, there is an end at once of the whole reason; it merely occupies the place of a pretext, and cannot for one moment deceive any man of sound and sober logical understanding.

I now come, my Lords, in the natural course of the argument, to the Ministers who have succeeded the late Government, and to the grounds on which the noble Duke expects the confidence of the country. He says, that the course which he has pursued, of dissolving Parliament, is to be justified by the event, and he has expressed a hope of still enjoying the support of the new House of Commons. He looks upon my noble Friend (Viscount Melbourne) as very unreasonable, for calling on him to take the experience of this the first night of the Session, as a test of success. The test has been, however, applied, and I will venture to say, in the most remarkable manner ever recorded. I have never heard of any one instance since the Revolution of 1688, in which the Minister was defeated on the first day of the new Parliament to which he had appealed, after "recurring," as the King's Speech expresses it, "to the sense of the people." I suppose that the sense of the people is to be obtained by the votes of their Representatives assembled in Parliament; and the sense of the people has been now, in this way, shown, by leaving the present

Ministers in a minority, on the very day of the return of the writs, upon the question who should be Speaker? But there is a strong ground, it seems, why the present Ministers should enjoy the confidence of the people, They are, all of a sudden, now become—though ex-Tories and Conservatives formerly—Reformers; and we are told that, if we are consistent, we ought to second the Address; that if we really wish for Reform, and for good measures, we ought to give countenance and support to the present Government, for they are as good Reformers as ourselves. Since when? Is it, my Lords, since the *testé* of the writs, or since the result of the elections; or has it been, peradventure, since the vote with Mr. Ley in the Chair, when they saw the minority in which they stood? When, I ask, did the reforming spirit come upon this Government? They are now for Reform in corporations—in the law—in the Church—in the State—in tithes—and in the law of marriages. They are going to make marriage a civil contract, and to abolish all bans, for the sake of the Dissenters. All these things we are to have from those who, a few months ago, would not listen to any Reform,—who told us that, in proposing it, we were pulling down the Church about our ears,—who inveighed against us as revolutionists,—who challenged us as rebels,—who exclaimed that we had either fool's heads on our shoulders or traitor's hearts in our bosoms. Since when, I repeat, has this miraculous conversion taken place?—whence has it been derived? My Lords, I hope that my experience of men has not made me too distrustful of their good intentions, or induced me to entertain a worse opinion of the honesty of my fellow-creatures than I ought to cherish. I hope that, having lived so long in the world as I unfortunately have, I have not, therefore, arrived at an unkindly or uncharitable estimate of their honesty. It is, however, a result not more, perhaps, of reason and experience, than of a sort of instinct which I have in me—an instinct which I believe to be a property of our common nature—that I feel an invincible mistrust of sudden, unaccountable, miraculous conversions. That men should at once—from being the enemies of Reform—from being the opposers of all improvement—from being the vituperators of all change—from being those who confounded Reform with revolution, anarchy, disaffection,—with political insanity, if not the worst political depravity—who would not touch any of the outworks of our venerable institutions of Church or State—who signalized their opinions, year after year, by uninterrupted, unabated, and pertinacious hostility to all species of Reform—regarding it as synonymous with destruction—whose conduct has recorded their opinion in the eyes of the world, and whose speeches have rung it in all our ears—whose protests have stigmatized Reform in worse language than I have to use—for I cannot forget the invectives against it with which they have so often loaded your Lordships' Journals—that these men should all at once, on the 14th of November, in the year of Grace 1834, without any intermediate event happening—any change of public affairs—with nothing but twenty-four hours' experience added to their former stock—without any time given for reflection except what elapsed between the opening and the reading of the letter enclosed to Sir Henry Wheatley, and brought by the servant of my noble Friend, without being allowed

——spatium requiemque dolori;

having no time to mourn over the destruction of our venerable institutions, to grieve over the loss of former opinions, to balance conflicting emotions, and weep over the cruel reflection that that ruin was to be all the work of their own hands—that these men should all at once become Reformers,—this, my Lords, does appear to me (I use not a harsh, but a very temperate expression) one of the most unaccountable phenomena in human nature which I was ever yet called on, either as a statesman, as a philosopher, or as a man of the world, to contemplate. But it is said, "You may trust us in our conversion—this is not the first time we have changed our opinions, and sacrificed our principles, and become converts, in twenty-four hours, to the faith of our opponents." That is, it seems, their title to trust! The people have been appealed to, and they have stated the amount of confidence they are inclined to repose in the new Government. The noble Duke has appealed to your Lordships I suppose on the same grounds on which the appeal was made to the country. These Ministers say to the people anxious for Reform, "Oh, you may well trust us; you may be sure that we are really converted, because we did the same thing before with the Catholic question. Could any men, they ask, be more strenuous in their opposition to Emancipation than we had been for thirty long years? Which of us for ever opposed Reform more bitterly than all of us did toleration? Trust us, then, that we shall change our principles now as completely as we did then." To be sure this is an odd kind of ground upon which to claim trustand confidence. Nevertheless I cannot deny the facts. No doubt they were vehement in their opposition to the Emancipation within a few months of their bringing forward the measure themselves. I can bear witness to their zeal. I well recollect hearing the noble Duke and the noble and learned Lord on the Woolsack—my predecessor as he is my successor there—vying with each other, late in the Session of 1828, in their resistance to that great measure of policy and justice; and arguing, each in his several manner, that to repeal the penal code, was to destroy our Protestant Constitution in Church and in State. This was the view of both, at the end of one Session; and they both opened the very next Session, with declaring that the selfsame measure of destruction to the State, must be carried, because it was necessary to save the existence of the State; and, further, that theirs must be the hands to carry it through, because none but themselves could do the deed. To be sure, they begged the question here—as, indeed, the noble Duke does on all occasions; it is the mode of argument by which he is uniformly and plainly distinguished. Others have recourse to it more covertly—using it with temperance — skilfully, dextrously, eloquently—I should perhaps rather say oratorically—for the noble Duke is eloquent—but, bred in other pursuits, he is not rhetorical. In them the method is always recognized, though often with some difficulty, as a begging of the question. They are like the whining, coaxing, cunning mendicants, who often gain their point before we are aware of their arts; of this sort is the noble and learned Lord. The noble Duke goes to work more roundly—less artfully; he speaks out plainly and bluntly; he begs the question stoutly—what the law calls sturdily; but though sturdy, he is still a beggar of the question all the same. Thus, to-night he tells us, "It was clear, every one knows, you could not go on without Lord Althorp in the Commons; therefore, it is proved, that on Lord Spencer's death, the Government was at an end;" and so, too, in 1828 and 1829, he and the noble and learned Lord, each after his several kind, assumed at one time, that emancipation was ruin, and that they were bound to prevent it; at another, that it was salvation, and they were bound to effect it, and no one else could do so.

My Lords, I know how some of you will be trying to answer me,—I know it by experience of this House. By the self-same species of logic, when the arguments cannot be repelled, or the statements denied, it is thought more convenient, and it is no doubt more easy, to say,—"Oh, we have heard a very amusing speech." That is often times said, when I have exposed some ridiculous sophistry to the satisfaction of your Lordships, however I might fail to gain your voices upon the exposure. When your Lordships have been made sensible of the absurdity of reasonings too flimsy to bear handling—the grossness of pretences too hollow to stand a single glance—the glaring inconsistency of men's stories with each other—and the astonishing repugnancy of their conduct with their professions of principle—when the complete sense of such discrepancies—such self-contradictions—has forced itself on your minds, and you have felt the force of this unquestionable truth, that manifest error in argument and utter abandonment of principles in conduct become ludicrous if pushed to excess—and when I have perchance assisted you in arriving at the clear view of such mistakes and such misconduct which clothes the sense of truth and of honesty in ridicule of their opposites, *ridentem dicere verum*, then a feeble, a pitiable attempt is frequently made at defence, and it ends in saying that the exposition was amusing. Amusing to the parties exposed, I have not frequently observed it to prove.

In 1828, I was proceeding to say, I well recollect the speeches of the two noble Lords against emancipation. The noble Duke's was far less violent against the measure; the noble and learned Lord was, in point of vehemence, complete: that both had equal success I will not assert. There is nothing of which I retain a livelier recollection than the inferior impression made by the noble and learned Lord. The opinions he then urged—the alarms he expressed—the fate he foretold to our

Protestant establishment from the grant of toleration, I well remember drew forth the deepest expression of astonishment unmingled with admiration, from all who heard him, and who had been taught to expect so different a result of his former liberal and enlightened principles. Even as samples of speaking and of reasoning, neither being remarkably excellent in argument, the Duke so entirely eclipsed the Chancellor, that I felt for the credit of our common profession at seeing the soldier outdo the lawyer in his own line. But, whatever might be their relative success in resisting the question then, their conversion to it was equally complete a few months after. The noble and learned Lord was among the most nimble in that quick movement of sudden transition. He vaulted in good company—a right hon. Baronet (Sir Robert Peel), the nominal head of the present Ministry, as the noble Duke is its real chief, and a distinguished friend of his and of the establishment (Mr. Goulburn), had with others been long known for their unremitting efforts against the measure, proportioned to their ardent zeal in behalf of the Protestant cause, whose great champions they were admitted to be, and by whose support they had risen to power—all of them, noble Dukes, learned Lords, worthy Baronets, and hon. Gentlemen—all came round, or rather rushed over at once, and not only agreed to the measure of emancipation, not only withdrew their opposition, but tendered their services to carry it through, and were actually the men who did it. Now, this passage of their lives is what their friends appeal to with exultation and pride upon the present occasion, crying out—"Only see what men they are! can you doubt they will reform by wholesale? What avail all their professions and pledges? True it is, that no politicians ever pledged themselves so solemnly against all Reform—true, that none ever so deeply committed themselves against all change—true, that none, at all times since the dawn of their public lives, ever thwarted so habitually, so pertinaciously, each measure of improvement, until beaten by majorities of the Commons. But never mind—don't doubt them—they are capable of doing again what they did before—by deserting all their old supporters, abandoning all their former principles, becoming converts in four-and-twenty hours to the faith of their adversaries, and carrying into execution, with the proverbial zeal of recent conversion, all the measures to resist which they had devoted their past lives." Such is the argument urged in support of the present Ministry, and to make out their title to the confidence of the country. I do not deny that there is a great deal in it—I do not question that it has an immediate bearing upon the question of confidence; it seems to me that it does go a great way, indeed, to settle that question, and to decide for ever what trust they are worthy of. But let the appeal for confidence on such grounds as these not be made to us—go make it to their old allies, the enemies of the Catholic question—let them appeal to the noble Baron on the upper Bench (Lord Kenyon), who does not so easily change his opinions—to the noble Earl near him (Lord Mansfield), who sticks by his principles though abandoned by his political leaders—to the illustrious Duke opposite (Duke of Cumberland). Those noble and consistent persons have had experience of the present Ministers; they have tried them; they know what they are made of; they can form—perhaps they have formed—an estimate of their trust-worthiness from recollection of their past conduct; and to these noble persons I refer all who prefer a claim to support on the ground of that conduct. But for me, my Lords, I am not to be duped a second time by such pretensions. Let me not be misunderstood; there was a time when I viewed the conduct of these no-popery converts with other feelings—I rejoiced sincerely in their conversion to the opinions which I had always maintained. But I now confess, and I am bound to state this qualification of my former opinion, I freely confess that I was a dupe on that occasion. Not on the Catholic question, on which my opinions never varied—not on the excellence of that measure, though unhappily too long delayed to produce its full effect—delayed until it had no grace of voluntary concession, and every semblance of being extorted by force, still I hailed it with delight; but I am bound to retract the assent I then justly and fairly gave to the defence urged by those noble and right hon. persons who had brought it forward, for the sudden, and as their adversaries said, most unaccountable—most suspicious change of opinion. Themselves said, they had become convinced that emancipation was necessary in order to save the State. I had never doubted that; but they declared that they had at length arrived at a knowledge of its truth; and they added, that no persons could carry the measure except themselves; and that they retained office solely in order to carry it into effect. Not that they had changed their opinions to keep their places; but that in their places, they, changing their policy, could, and alone could, carry that measure which, at the eleventh hour, they had discovered to be necessary to the safety of the empire. I listened candidly, and not only candidly, but willingly, to that excuse. Anxious for the success of the measure, I did all I could to further it, and, in fact, I did more than I could be called on to do, as a party man, upon that occasion. No doubt, it is said that Whig leaders are always factious, and look only to the turning out of a rival party; but I will venture now to make this statement, which I have never made in public before—that the late Mr. Huskisson and myself, at five o'clock on a Thursday evening—a very remarkable day in the recollection of some present (seeing that they were said to have been then dismissed from his Majesty's service on account of the Catholic question)—we, having had the statement of what was going on at Windsor purposely communicated to us by a friend still living, and in a high station, took our measures accordingly. Mr. Huskisson, with that honest love of truth, and steady devotion to whatever line of policy he thought it his duty to pursue, which ever marked his course, got up in his place,—myself acting in concert with him,—both took occasion to make avowals in Parliament, for the purpose of its being known elsewhere, and preventing the dismissal then contemplated—avowals which proved that no power on earth could induce either of us to take office, or be accessory to any arrangement for succeeding those who were about to be expelled on account of the Catholic bill. I felt then, as I do now, and have already declared,—that the individual who takes an office from which another Minister has been removed, in law and in fact renders himself responsible for the dismissal, and on that principle I acted. I showed plainly that I should refuse to take office, and announced that office would be offered to me in vain, because I knew that no man could then be accessory to any new Ministerial arrangement, without incurring, by that fact, the fearful responsibility of producing remediless evil to the State. I knew that office would have been offered, not so as to render us odious in the eyes of all men if we accepted—not on the condition of abandoning our principles—not that we should succeed those who insisted on carrying the question in order to prevent it being carried—no such thing, but I knew if office were tendered at all, with what professions it would be offered. It would not be asked of me that I should come into office, and be disgraced for ever by the sacrifice of my principles. It would be offered in the same way as I know it was threatened to be offered when that most disgraceful of all proceedings, the Princess of Wales' affair was to be forced upon the Ministry, and I should be told that I need not give up my principles, and that we could carry that great measure instead of our adversaries. I, however, would be a party to no arrangement which would have the effect of removing that Government from office upon any such grounds. I steadfastly and decidedly declared that determination, and the illustrious Duke and the noble Lord kept their places to carry that measure, which they felt to be indispensable for the safety of the empire, and which they said they felt also that they could most effectually carry. Their conduct at least was suspicious, it was surrounded with equivocal circumstances. All appearances—all facts were clearly against them; and suggestion, and argument, and declaration only for them. There is, in truth, always cause for suspicion, when there is a sudden and an unaccountable change of principle, and reverse of conduct.

It is always suspicious when people change their principle and gain something—although, certainly, it may be a proof, in some cases, of magnanimity and honest devotion to the public well-being. But that is a case which should occur only once in a Statesman's life. A man may once get himself into that false position, he may once expose himself, with impunity, to such a load of suspicion; but he must beware of trying such an experiment a second time; for assuredly, no weight of reputation, no amount of public service would ever enable any one with impunity to play the same game twice. At all events, circumstances now are materially changed; and if the noble Duke thought he alone could carry the Emancipation Bill before by remaining in office, and was therefore justified in resolving to carry it, assuredly he is not the only one who, in the opinion of the country, is competent now to carry into operation the principles of Reform. There might, in fact, be some excuse for the course taken with respect to Emancipation. It could then be said by the noble Duke, "I have always been opposed to Emancipation, but I am now willing to concede it, because I feel it necessary for the safety of the State." Such an apology might be offered then, but there is a wide difference, indeed, between that case and the present. How can a man say that he is an opponent of Reform—that he has done all in his power to defeat the measure—that he has assisted in procuring the dismissal from office of the men by whom that measure has been carried, but that still, now he is in office, he is willing and anxious to carry into effect the principles on which that measure was founded? Would any one place faith in such a conversion?

It is well for such men to say, "give us a trial; don't be uncandid; don't refuse your confidence until you have given us a trial." To that I will take upon myself to answer, that they have been tried all their lives; that they have been upon a constant course of trial, and their long series of trials, there many years of probation, have ended in a course of convictions—not of being the friends, but the bitterest enemies of Reform. Let me put a case to your Lordships.—Who would take his servant, in this way, or under those circumstances? A set of servants, whose conduct and whose character are known by experience, come and offer themselves for employment in a situation from which they had been turned off; they are told by their former master that he cannot employ them, as he has no confidence in them, "What," exclaim they, "won't you give us a trial? Surely you won't send us away without a trial?" "Ay, but (the master replies) you have been in my service at least a dozen years, and during that time I have for ever had to complain of your mal-practices. I have found your accounts irregular, and that the mistakes have always been in your own favour; you never would see that the needful repairs were done; you let the furniture go to ruin; and the house was ready to tumble about my ears; therefore I have had trial of you sufficient; but if you want places, why don't you go to the honest gentleman that used to live over the way, and is now settled at Prague, having gone back in the world; he wants a set of servants, having lost his late ones, whom you so closely resemble, that it is a matter of doubt which will suit him best; go to him and he'll be glad to have you; but for me, I have had enough of you." It has been said, again and again, place confidence in the Ministry till you see reason for withdrawing that confidence; but does not this appear to your Lordships a joke too stale to last? What confidence can be placed in a Ministry like the present, who have come forward as Reformers? They, indeed, Reformers! But it is said, they have turned over a new leaf, they will reform the law, they will reform Municipal Corporations, they will reform the Church, they will give the Dissenters all they ask, save that which they ask most, nay, they will make marriage a civil contract, repeal the Marriage Act, and abolish publication of bans. But are not your Lordships prepared to ask, if these were their objects, why so hastily turn off the Reform Parliament? The reformed Parliament was ready made to their hand, if reform was their object. It was the child and champion of the Reform Bill—the produce of its youthful vigour, before excess had enervated, or intrigues reduced, or time enfeebled; yet, the very first act which they did was to extinguish that reformed Parliament; and why? Why, because they were Reformers, and because they wished to give Reform to the people. The real fact is, they dissolved that Parliament because it was a reformed Parliament, and because they wanted another. Again, what has been the conduct of the present Government at the election which has just taken place? Whenever it happened that a gentleman appeared on the hustings to support violent Reform measures, I can very well understand why the noble Duke should say, "Don't let the Government give him their support," for although the Government is composed of Reformers, yet it is of moderate Reformers; but where a moderate Reformer and an anti-Reformer have appeared on the hustings, I will only ask the House which of those men Government have supported?

Nay, they actually brag that they have got ninety or ninety-five anti-Reformers into the present Parliament, and that this was the sole purpose of the dissolution.

Is this, my Lords, a specimen of their new-born zeal for reform—is this a retracing of their steps? Alas! I fear that all that has been urged as to the inconsistency between their preceding conduct and their sudden change of opinions, will vanish into air when put in contrast with the first act of their Administration in dissolving the reformed Parliament; and their second, in opposing every Reform candidate who has appeared on the hustings. I fear that all this zeal is but of a piece with all that the same men did in reference to the Catholic Emancipation Bill. Nevertheless Parliament has been dissolved; I care not, my Lords, for all their professions; but I do agree with my noble Friend lately at the head of the Government, that anything louder or more solemn as a warning, descriptive of the feelings of the people, could not be given than the crash which has been given to the new Ministry by the results of the late elections. No man, save in the small towns where close corporations predominate, and in one or two counties peculiarly circumstanced, has ventured to come to the hustings except under the colours of Reform; the only exceptions have occurred in some county where undue influence prevailed, or in some borough where corruption existed, that required to be reformed. I shall be curious to see what Government do in reference to these places. If the Ministry are sincere I expect that the first step they take will be to reform those Municipal Corporations, where corrupt practices even thus recently have been carried on, and Members returned in direct opposition to the principles of the Reform Bill. I shall be anxious to observe, whether or no they will propose to disfranchise the boroughs from which they have obtained their anti-Reform Members. I shall reckon upon their giving up to the knife of the Reformers, their only borough supporters. But to let that pass, I will confidently assert, that these exceptions, with regard to the character of the late returns, only confirm the general rule.

There was another class of exceptions, which, for the character of English Gentlemen and the honour of the country, I hope comprised but very few cases. I allude to those candidates who outbid their opponents (when asked by their constituents what their sentiments were with respect to the present Government), in supporting extensive Reform, and in strenuous opposition to the present Ministry, and who were returned to Parliament solely on account of such professions. These men who thus outbid men less liberal of their professions, have yet had the audacity to come forward in the House of Commons, to turn sharply round and violate all those promises—forfeit those very pledges by which they had succeeded in defeating honest adversaries who did not bid so high. There is no other example of so vile a trick ever being practised on the people, and the people, I trust, will never forget or forgive it. Upon the whole, my Lords, I confess that my expectations from the present Government of anything like Reform, are very limited; and although they expect, as I hear, some support from the present Parliament, the statement of that expectation has been accompanied with very plain indications, that if they do not receive it, they will have recourse to the desperate expedient of a second and immediate dissolution. Now, although there was a sort of clamour raised a little while since when my noble Friend mentioned his understanding to that effect,—although such a scheme was not permitted to exist, and it was said that the Ministers had never held out the threat,—yet the noble Duke, when on his legs, took, I remarked, no opportunity of denying it. My own apprehension is, therefore, that some such rash attempt as that will be resorted to if necessary; an attempt, my Lords, which I will boldly say, would be an invasion upon the Constitution of the country, a direct attack on that Constitution, and a fatal inroad on the best, and only security of the Throne itself. This, I would have your Lordships observe, is far from being a chimerical notion, and I would exhort the country well to mark it. But, then, will nothing really be done against the Reform Bill? When I recollect the language with which that measure was received by some parties, on its first introduction to the Legislature,—when I know that, in one House of Parliament, it was denounced, in distinct terms, by the present Ministers and their friends, on various discussions as a measure of the most desperate tendency—when I heard them describe it as planting in this country the worst despotism that ever existed in any part of the civilized world;—as a measure that would bring into the House mob-demagogues, while it excluded all the wise and good,—that would confiscate all the property in the funds,—effect the abolition of the nobility, and the destruction of tithes, and would tear the Crown from the brow of the Sovereign:—when, in one House, it was thus described, and when, in the other, it was, (perhaps not in such set terms, but in language of similar import,) characterized in a protest on the Journals, as inconsistent with the safety of the monarchy, and the best institutions of the country—nay, as fatal to them all; —when I remind your Lordships that these were the opinions, and this the language, of the present Ministers regarding the Reform Bill; am I, in your dispassionate judgment, entertaining a vague, a groundless, a chimerical, a fantastic, apprehension, when I own, I believe, that the Bill will not be safe in their keeping? I do not think that they will be doing justice to their own consciences, if they do not attempt something to thwart the working of that Bill, and proceed, as soon as they have the power, or can muster the courage, to repeal it. Why, then, I ask your Lordships to regard the question in this point of view, and to consider what ought to be —and if they are in the least degree consistent or honest—what must be the conduct of Ministers the instant they can obtain a Tory majority in the Commons? Are they not bound to work it against a Bill which they so depicted? I only know how I should feel, and how I should, as a matter of course, act, were the case mine. I will for a moment suppose myself placed in a parallel situation;—I will suppose that, contrary to all my strongest opinions, deeply-rooted principles, and powerful feelings, politically and as an individual, a clamour should arise in this country against the policy of the Slave Trade Abolition Act, and the late Emancipation, and their supporters,—I will imagine that there is a violent change in the public mind on the question—that massacres have taken place in the West India Islands—that the West India interest in this country has become depressed and about to be overwhelmed, in consequence of the ruinous state of the Colonial markets—I will suppose that so complete a reaction, as it is called, has taken place on the subject of slavery, and even the slave-trade, as to be deemed by some to furnish a sufficient reason to bring in a Bill immediately to abolish the great measure of negro emancipation,—if I should unhappily live to see that day, my Lords, under the pressure even of such a dire emergency, I can answer for myself. There would be no language that I could use, which I should fail to employ, in deprecating such a step, or in raising the country, and rousing Parliament and the Government against it; nor would I refrain from agitating the empire, and even attempting to exasperate mankind against so horrid an iniquity. But supposing such a measure were to be carried by a majority of forty-four, (the majority on the repeal of the Test and Corporation Acts), should I, think you, be the person to come down the next day, and say, "Here am I, ready to help you in this work of wickedness! A vote has passed against me, and I—yes I—am the man to carry that vote into operation?" Never, my Lords,—never! If the country were so sunk, so brutalized, as to repeal sacred laws founded (like the Slavery and Abolition Acts) on justice and mercy, I would say, let them try; but mine should not be the unholy hand to assist, in any way, in destroying a measure of such wise and generous policy. I might, if madness and wickedness were to triumph, be reduced for a time to despair, but I would live on in the ardent hope of being able, in better times, to undo a proceeding of such frightful iniquity. Whether I were in or out of office, I should never cease to protest against such unrighteousness, or to maintain, through good and evil fortune, that cause which I have ever supported, not for the sake of place, but from the immutable principles of humanity and justice. Supposing, on the other hand, that I had come into office again, and were once more clothed with power to make my principles effective, I should feel myself bound in sound principle—in honest sentiment—in common consistency and good faith—to labour night and day to remedy so enormous an evil as the re-establishment of a system of cruelty against which I have striven from the beginning to the end. While, therefore, my Lords, I feel that I should be bound myself to act in that way, can I suppose that the noble Lords opposite would or could do otherwise than I have assumed that they would in the case I have put—as to them—in regard to the Reform Bill? Really, I am only giving them credit for acting with the same integrity that I, myself, would display in the like circumstances. It is, then, for these reasons that I am confident the noble Lords opposite would, if they obtained a majority, conduct their proceedings in a spirit opposed to the security of the Reform Bill, and seize the first opportunity after obtaining the power, to repeal the Bill. I will not undertake to say, what would be the course of the present Government, if such a reaction could be obtained as should return a Parliament to their mind; but I ought in justice to give the existing Ministry credit for consistency, and for common honesty; and I ask whether if, by wearing out the patience of the people with repeated dissolutions, or by force, or by corruption, if by these, or by other practices, they could get a majority in their favour, whether (giving them credit for consistency, and bearing in mind their denunciations against the Reform Bill)—they would not try again to reconstruct the representative system; and introduce, haply, among other improvements, a part of the old Constitution, which was declared by the noble Duke to be so perfect that the art of man could invent nothing to equal it,—namely, the department of rotten boroughs? I have heard the noble Duke and the right hon. Baronet at the head of the Government declare, that the Reform Bill was now part and parcel of the Constitution. That may be all very true; but still the melancholy case is, that six years ago, the Protestant Establishment was just as much in their eyes, part and parcel of the Constitution, and just as often on their lips as sacred and inviolable; yet they passed the Catholic Emancipation Bill, which they had declared would pull down the Protestant Establishment. So when they now acquiesce in the Reform Bill, which they formerly said would destroy the Constitution introduce mob-demagogues, abolish nobility, and pluck the Crown from the Sovereign's head, why may not they hereafter set it aside as they did the penal code which they had never once blamed, but always covered over with their praises? The very same would be the result, if, some fine day, a general election were to take place, and a feeling to be prevalent against the Reform Bill. Away, then would go all their professions about that Bill being a part of the Constitution. Could it be wondered at, if (a Conservative majority being once obtained,) it should be pretended that the alteration first, and then the repeal of that Reform Act had become necessary to save the empire, that the people were now against it, and that none were so fit as those Ministers themselves to abrogate it? Observe the consequences of thus taking up and laying down opinions so lightly on great questions of policy! See the result of that course which these men have been pursuing—whose principles hang about them like their clothes, who put on a belief in some great constitutional point, as a man does a cloak, to disguise or to shelter him, and then throws it aside the moment it begins to impede his walking where he wants to go. Mark, too, how convenient the *testé* is by which these men discover when it is right to change their doctrines! Necessity for the safety of the State—general opinion in the country! Why these are things that we can have no standard for ascertaining, and each person may and will judge for himself; that is to say, when his interest suits, he will readily find the necessity to be urgent, and the people to be convinced. To-day the penal code alone can keep us Protestant, and all the people are anti-Catholic; to-morrow emancipation is your only panacæa, and the country has come round against the Orange party. Now Reform is part of the Constitution, and no man thinks of rescinding it; and now the evils they had all along foretold have come to pass from that ill-omened innovation; Schedule A is our sheet-anchor, and the country are tired of the Bill. All hues from orange to green, all shades from revolutionary to conservative, can, upon these principles (am I to call them?) be made familiar as the purpose of the day requires, and the country can have no security in any pledges or in any professions. But the country has a security in its own hands, God be thanked, and if it be wise that security it never will part with. To the people I will turn, (among whom there remains some value for consistency and public principle), and I will tell them,—"Never be the dupes of untried men—but never give your confidence to those who have betrayed you—stick fast by them that have been your firm friends, your constant supporters—trust the men who, standing by you through good and through evil fortune, have fought by your side the battles of the Constitution—cling to those who have ever maintained, at all hazards to themselves, the rights which are dearest to you—the policy which your most sacred interests and fondest wishes have made your own — nor ever for an instant dream that the Reform Bill which they gave you, and the constitution with which it has blest you, and the valuable improvements which have already flowed from it, and the yet more precious fruits which it has still to produce, can be safe for an hour, in the keeping of those professing-politicians, now so fair-spoken, who, from the hour that the name of Reform was first pronounced, have never, till they turned the authors of it out of their places, ceased, by day or by night, to curse it and to resist. Above all, listen not to men's promises who have before forfeited their pledges; and trust not their professions of favour to a system they detest, when they destroyed, with their own hands the system they once loved, and had vowed and sworn for ever to maintain."

What may be the issue of the conflict into which the noble Duke has thought fit voluntarily to enter, as regards either the country or the different branches of the Legislature, it is not for me to say. He has often been in desperate situations, or all but desperate, and having been extricated by feats of fortune almost miraculous, he is not unnaturally sanguine in his views of things, and has a reliance upon his good star. So, for aught I know, he may be reckoning upon a majority in the House of Commons, although that Assembly would not even wait till there was a Speaker in the Chair, but declared at once against him, and rejected his candidate for the place, and made choice of ours. He will, however, try again, and I doubt not, more than one defeat he will bear and continue confident. But of one thing I am absolutely certain, if any desperate attempt be made to overawe the people of this country by force and power, or to wear out their patience by repeated appeals to their sense, as it is called, but which will speedily prove appeals to feelings and to energies of a very different kind, or I greatly mistake the nature of my countrymen—if any audacious attempt is made to set at nought the result of the appeal already made, and already responded to through the people's Representatives —if that appeal, made in circumstances the most favourable to those who tried the rash experiment, shall be passed over as if it had never been resorted to—and if the Government shall now no longer be carried on as in all past times, our wisest, and ablest, and most honest, ay, and our most firm-minded Statesmen were content to wield it, I mean in respectful deference to the sense of the people, in compliance with their wishes, declared regularly and constitutionally by their Representatives in Parliament assembled; if, on the contrary, the executive Government is now, for the first time, to be administered in direct opposition to, in open defiance of, the opinions and the feelings of the people —then woe be unto them, whosoever they be, that shall recklessly attempt to rule in despite of the Commons, and set up the Lords in their stead. For they will then set up, in this once free country, and in place of its limited and popular Government, the domination of an aristocracy universally, proverbially allowed to be, of all forms of misrule, the most execrable, while it fails even of claiming respect by its power.

My Lords, I feel bound, by a deep sense of public duty, to express my apprehension of the perils that are approaching us. In certain quarters, where power now resides, I believe that the design exists of despising the sense of the Commons, and of running counter to it, while this House stands by the Ministers. The weightiest matters are disregarded as frivolous because transacted in the other House; the most threatening indications of distrust are set at nought, because they proceed from the Representatives of the people. Your Lordships are significantly reminded that majorities in the Lords are to be considered as well as majorities in the Commons; and the declared want of confidence in the one branch of the Legislature, is to be overbalanced by the overflowing favour shown in the overpowering majority of the other. I solemnly warn you, that this is not a wise resolution— not a judicious course—not a safe principle of action. If any one thing more than any other could make this House utterly hateful to the country, it would be the fatal step of the Crown retreating from the distrust of the Commons, and seeking shelter in the protection of the Lords—

relying upon the support of the nobility—while it ceased to prize, and neglected to win, the approbation and the affections of the people.

The *Lord Chancellor* said, that he rose, not for the purpose of answering all the details which the noble and learned Lord had entered into, and still less of taking notice of the threats which he had so plentifully dealt in. But as the noble and learned Lord had made a charge against him which was utterly without foundation, he rose for the purpose of meeting that charge, and for the purpose of defying the noble and learned Lord to a proof of his statement. He (the Lord Chancellor) asserted most positively, that the noble and learned Lord had maligned him in the statement he had made. It was true, that he had on a former occasion opposed the Roman Catholic Bill; it was true, that at a subsequent period he supported that measure to the utmost of his power. The grounds upon which he had adopted those different courses he had upon former occasions stated; they were matters of history, and he would not enter into them. But the noble Lord (continued the Lord Chancellor) has dared to say, that I pursued the course I took for the purpose of retaining my possession of office. I deny peremptorily the statement of the noble and learned Lord. I say, if I may make use of the expression, he has uttered an untruth in so expressing himself. My colleagues at that time, some of whom are now in the House, know that we were at the time when that measure was brought in, in firm possession of the Government. My friends who are present, know the accuracy of my statement, which is this—that we were satisfied the tranquillity of Ireland could not be preserved unless we adopted that measure and changed our policy; and so far from that measure having been brought forward and supported by us with a view to preserve our places, it must be well known that we hazarded our places by pursuing that course, and that we actually resigned our offices in consequence of the course that was then taken. What right, then, has the noble and learned Lord, in his fluent, and I may say flippant manner to attack me as he has dared to do? But I pass this subject over. The noble and learned Lord has misrepresented, as I understood, the noble Duke. The noble Duke said, he did consider himself responsible for the dismissal of the late Ministers; and the particular statement into which the noble Duke entered was for the purpose of satisfying your Lordships, and for the purpose of satisfying the country, that he knew nothing of the fact of the dismissal until after it had taken place; but that having acted afterwards in the way in which he did, by the law and the constitution of the country he considered himself responsible for the act. The view given of that statement was a misrepresentation by the noble and learned Lord. His quickness and his sagacity must have caused him to understand the noble Duke, and I can ascribe what he stated only to an intention to pervert the noble Duke's statement. [*Cries of "Order?"*]

Lord *Brougham* said, as soon as silence was obtained—I will just use the same language to the noble and learned Lord that he uses to me, if he chooses to make this an arena of indecency. When he says that I perverted what the noble Duke said, I can only say, that he has misstated every word that I have used from beginning to end, and that he has no right to say I intended to pervert.

The *Lord Chancellor* said, perhaps I had no right in strictness to say, that the noble and learned Lord intended to pervert, but I have stated my reasons for the conclusion to which I came; those grounds were satisfactory to my mind, and the noble Lord has not denied the correctness of my statement.

Lord *Brougham:* Every word of it is incorrect.

The *Lord Chancellor:* With respect, then, to the dismissal of the late Ministers, allow me to recall to your Lordships' recollections the circumstances under which that took place; and I am quite sure your Lordships will feel that if we had actually been the advisers of that measure, as we really were not, the course that was pursued was the correct and proper one. The noble Duke has directed your attention to the circumstances which took place at the time of the secession of four of the most efficient and leading Members of the late Government, and also to those which took place at that period, when the noble Earl at the head of the Ministry left it. The noble Earl was desirous of resigning in the first instance; he doubted whether at that particular moment he could carry on the Government, and in your Lordships' hearing, he declared it was only at the urgent solicitation of his colleagues he continued in office. That was the first breach made in the Government, to use the noble Earl's language. Afterwards (continued the noble and learned Lord) Viscount Althorp retired for a time; the noble Earl then came down to the House and stated the circumstances in which he was placed, and said, that he considered the position of Lord Althorp in the House of Commons to be essential to the continuance of the Government. He stated, that that was the second breach which had been made in the Government, and that he was quite confident he could not, in the due discharge of his duty to his King and to his country, attempt any longer to carry on the Government, Lord Althorp being so essentially necessary in the other House. Everybody who heard the noble Earl, knew that he referred to the position of Lord Althorp in the House of Commons, where he possessed the confidence of the House. The noble Earl stated, that in consequence of that noble Viscount's retirement, he felt compelled to tender his own resignation at the same time that he tendered the noble Viscount's to his Sovereign. Why did he (the Lord Chancellor) allude to these facts? Because they must all have been well known to his Majesty. His Majesty well knew the position of the noble Earl; he had great confidence in the noble Earl, and he considered the position of Lord Althorp in the House of Commons as an essential part of the Government. Lord Althorp was afterwards induced to resume office, and it was in consequence of that resumption that the new Cabinet was formed. It was based upon the continuance of Lord Althorp in the other House of Parliament; and when the noble Viscount was subsequently removed from the other House, the noble Lord (Melbourne) went to his Majesty, and said, the foundation on which the Cabinet had been formed had been taken away, and it was for his Majesty in this new and altered state of circumstances to say, whether he would refer to other council, or whether he (the noble Lord) should endeavour to continue the Government. What was the point, therefore, for the consideration of the Sovereign? And when he (the Lord Chancellor) said the Sovereign, he talked of the Ministers who had succeeded the late Government, for they were the parties who were responsible. Was it not competent for his Majesty to consider whether the Government proposed to be formed again by the late noble Lord at the head of it was likely to be permanent; and if his Majesty was satisfied that it would not be likely to be permanent, but might be broken up at a time when it might be productive of much more mischief than the breaking of it up at that moment was calculated to occasion, was his Majesty not justified in changing his Ministers, as he had done? He had had an opportunity of considering the circumstances, and he was satisfied in his judgment and conscience that if he had been called upon to act in such circumstances, he should have acted exactly as his Majesty had acted; he considered himself as one of the Ministers who were responsible for what had been done, and he should have been ashamed of himself if he had been called upon to advise his Majesty, and he had not advised him to dismiss the late Ministers; not to dismiss them as a matter of reproach, but because under the circumstances, and after the repeated breaches that had taken place in the Government, there could be no good ground for supposing it would be permanent if made up again, but rather for believing that it would break up at a time when it would produce the greatest inconvenience. But the noble and learned Lord had talked a great deal of the Government having had the confidence of the House of Commons and of the country. Where had the noble and learned Lord been? Where was he when Parliament was dissolved? He (the Lord Chancellor) thought he could say from his own knowledge, there never had been a measure adopted by the Crown that gave more entire satisfaction. One circumstance in proof of it occurred at that moment to his mind:—a meeting was called in Manchester, one of the most powerful and influential towns in England, to address the Crown in favour of the late Ministers; and what took place? An amendment was moved at the meeting, consisting of 10,000 persons, to address the Crown, thanking his Majesty for what he had done. Several such instances had taken place. He asked them upon what ground was it that noble Lords took upon themselves to say, that the late Government had the confidence of the House of Commons and of the country? The noble and learned Lord, as well as the noble

Viscount, had likewise been pleased to charge the noble Duke and his colleagues in office with misconduct in recommending his Majesty to dissolve Parliament; but could their Lordships conscientiously say that that charge was sustained? If the change which it had pleased his Majesty to make in his councils was a proper change, and that it was an improper one remained yet to be proved; the dissolution of Parliament was but a necessary consequence, and one for which his Majesty's Ministers were in no wise reprehensible. The noble and learned Lord and the noble Viscount both admitted that it would have been unprofitable to carry on the new Government with the old House of Commons; and after making that admission, he confessed he was utterly at a loss to understand how they could, with any degree of justice, blame himself and his colleagues for advising the dissolution. His Majesty had been pleased to see a necessity for changing his confidential advisers, and if that change were necessary, it was equally necessary that a dissolution of Parliament should take place. The whole question, in fact, resolved itself into the one point: was the change in the Administration a right or wrong measure? In his opinion it was a right and most expedient measure; but, for argument's sake, supposing it were not, he asked their Lordships to say whether there was anything so very uncommon, anything so very improper, in his Majesty's determining to take the opinion of the constituency of England on the propriety of the change it had pleased him, in the exercise of his undoubted prerogative, to introduce into his Government? He hesitated not to assert that if their Lordships should come to the decision that such a course was improper or inexpedient, they would come to a decision unprecedented in the history of any deliberative assembly that ever existed. But did the result of the general election justify the noble and learned Lord in asserting that it was an unnecessary measure? Far, very far, from it. The result of that election was, that a proportion of those who were the supporters of the late Administration were rejected by their constituents, and their places supplied by Gentlemen who were known to be favourable to the newly-formed Government. Not only, therefore, did he assert that the appeal which had been made to the people was abstractedly justifiable, but that it was justified by the event. So much as regarded those two points—the dissolution of the late Government and the subsequent dissolution of the late Parliament. Then as to the other charge urged by the noble and learned Lord and the noble Viscount against the Government, or rather against the noble Duke who formed a portion of it, he had a few observations to make. It could be scarcely necessary for him to remind their Lordships that, in consequence of the absence of Sir Robert Peel in Italy at the moment it had pleased his Majesty to dissolve the late Administration, the noble Duke had taken upon himself the duties attached to the offices of First Lord of the Treasury and Secretary of State for the Home Department. This had been made a charge against the noble Duke; and, although, perhaps, the majority of their Lordships might deem them unnecessary, he felt called upon to say a few words in his noble Friend's justification. Placed in the peculiar situation his noble Friend found himself in, in consequence of the absence of Sir Robert Peel, he had to pursue one of the only two courses which lay open to him; he had to choose whether he should allow the old Ministry to remain in power until the return of Sir Robert Peel, or, without consulting that individual, to fill up the several offices of the State with other persons. Now he (the Lord Chancellor) left it to their Lordships to decide whether it would have been expedient, nay, whether it would have been proper, in his noble Friend to have left, for an entire fortnight, the management and control of public affairs in the hands of those Ministers whom his Majesty had thought proper to dismiss from his Councils? Why the adoption of such a course would have endangered every prospect of the new Government and consequently have defeated those intentions which induced his Majesty to call it together. The noble and learned Lord seemed surprised at his adopting such an argument, and therefore it might be as well he should state to them a somewhat singular fact, which he thought they would admit, not only fully confirmed his right to use it, but demonstrated that he and his colleagues had substantial grounds for apprehending the results he had stated as likely to ensue from the control of public affairs being left in the hands of the dissolved Ministry until the return of Sir

Robert Peel. The Great Seal, it would be recollected, had been left in the hands of the noble and learned Lord for some days after the dissolution of the Ministry. Now what was the use that noble and learned Lord made of his authority during those few days? It was, perhaps, unnecessary for him to inform their Lordships, most of whom, from their knowledge of the duties and privileges of Lords Lieutenant of the counties must be aware of the fact, that the Great Seal never named an individual on the Commission of the peace without consulting the Lord Lieutenant of the county on the propriety of the nomination. The contrary, at least, he knew had never been his practice, and he also knew that his practice closely followed that pursued by the noble and learned Earl who preceded him in the office of Lord Chancellor. But what would their Lordships suppose was the conduct of the noble and learned Lord who last addressed them as regarded that point? Why, subsequent to his dismissal from office, during the few days he was permitted to retain the Great Seal, with a view to the disposal of some cases in Chancery which had been heard before him, after he had virtually though not nominally ceased to be the Lord Chancellor, he sent for the Commissions of six counties, and not only without any application having been made by the Lords Lieutenant of those counties, but in declared and direct contradiction to the wishes of those Lords Lieutenant actually caused fiats to be issued, inserting the names of several individuals upon them. That was a fact which fortunately defied contradiction, inasmuch as the names of the individuals to whom he alluded were at the present moment to be found on those Commissions. He did not mean to say, that all this was illegal; but he heard it as an argument, and a strong argument too, against allowing the Seals of office to remain in the hands of a dissolved Administration until circumstances permitted the appointment of their successors. He maintained that it was perfectly advisable, perfectly right, and perfectly justifiable, under all the circumstances attendant upon the dissolution of the late Administration, that some person should take upon himself the duties of the principal offices of the State until the return of Sir Robert Peel from the Continent rendered a final selection of Ministers practicable. That position granted, who, he asked, could be deemed more fit for that purpose than the noble Duke, the Secretary for Foreign Affairs? His Majesty confided in him the Great Seal, and in the Lord Chief Justice the Seal of the Chancellor of the Exchequer; was there anything improper in that? Was it improper that the same person should at the same time hold the two offices of First Lord of the Treasury and Secretary of State for the Home Department? If so, Lord Liverpool, and, if he was not much mistaken, Lord Temple, were severally guilty of that impropriety. Were the two offices rendered incompatible by law? If they were made incompatible by law they could not be held by the same person, but if they were not so they might. Now, did the law of the land state that it was wrong for the same person to hold different offices? Certainly not. So far from it, the law provided that when the Chancellorship of the Exchequer was vacant the Seal of that office should be intrusted for the time to the Lord Chief Justice of the King's Bench. The law, therefore, did sanction the principle that two offices of State might be held by one and the same person; and, therefore, he contended that legally the noble Duke was justified in assuming the three offices on the dissolution of the late Ministry. Even in his own case there was a precedent for such a course, inasmuch as for some time after he received the Great Seal he retained the post and discharged the duties of Chief Baron of the Exchequer. Was there any incompatibility of duty, any impropriety of conduct, in his so doing? He would not, after the speech he had that night heard from the noble and learned Lord, take upon himself to say there was not, but if there was he was happy in having two matters to plead in his justification—first, the fact, that Lords Chancellor Eldon and Hardwicke had been guilty of similar impropriety; and, secondly—and he was confident their Lordships would congratulate him on the possession of so important a plea—the circumstance that it was at the suggestion and by the advice of the noble and learned Lord himself that he so undertook to hold the two offices. But to return to the subject more immediately under consideration; how he aked, did the noble Duke conduct himself while discharging the duties of the two offices he undertook for the time to fill? On entering upon them the noble Duke made a voluntary pledge, that while he continued to hold the reins of power nothing should be altered, no office given away, no promise made, no act done, but what was strictly and absolutely necessary for carrying on the business of the State. Now he put it to their Lordships to say whether or not his noble Friend had faithfully and fully redeemed that pledge? [*Cheers.*] Their Lordships by those cheers sufficiently decided the question, and therefore he would leave it, and proceed to reply to another part in the speech of the noble and learned Lord. Speaking of the measures recommended by his Majesty in his Speech, and, therefore, to be concluded as recommended by his Majesty's Ministers, the noble and learned Lord seemed to imply that Parliament might expect from the Government some measure of Municipal Reform founded on the Report of the Commissioners. Now, with all due deference to the noble and learned Lord's superior judgment, he begged to say he saw nothing in the King's Speech to justify any such conclusion. What he found stated in that document was, that the Municipal Commissioners had been conducting their inquiries; that application had been made for their Report, which was not as yet prepared; and, lastly, that as soon as it was received, it would be submitted to Parliament. There was not a syllable in the Speech to justify the supposition, that any measure which Government might propose, would be based on the recommendations of that Report. That measure would certainly depend, in a great degree, on the evidence taken before the Commissioners, and their Report as founded on that evidence; but as a Member of the Government he did not hesitate to say it was most unlikely they would feel themselves called upon to propose to Parliament a measure of Municipal Reform carrying out all the recommendations it was probable the Commissioners would offer. He did not feel, on the part of the Government, bound to give a pledge one way or the other, but he was sure their Lordships would concur with him in thinking that, a Commission having been appointed, all discussion on the subject would be both premature and impolitic until that Commission had terminated, and a Report was made. The noble and learned Lord asserted, that the present Government by alluding to the Commission in the Speech from the Throne adopted it. He, as a member of the Government, denied that it did so. So far from adopting, he hesitated not to say he agreed with a noble and learned Friend of his (Lord Eldon) in thinking, that the Commission, to the extent it was carried, was illegal; and that its provisions gave to the Commissioners a degree of authority, which the Crown had no power to depute. Under those provisions the Commissions were vested with powers to inquire into the property of corporations, and to issue summonses to corporate officers to attend before them with the deeds, papers, and titles of the several corporations to which they belonged. He affirmed that to be an illegal authority, and one which could not be acted upon consistently with the laws of property in this country. The next charge of the noble learned Lord was, that the Administration acted inconsistently with their former conduct and declarations in proposing the measures which they announced in the King's Speech. To this charge he would reply by calling upon their Lordships to look at their former speeches, and then to say what were the measures they now recommended which were inconsistent with their former conduct. First, he would take the question of Irish tithes. He begged of their Lordships to recollect if he had ever expressed an opinion adverse to the composition of those tithes. To the principle of such a measure he had been ever favourable, and if he had found it necessary to oppose the Bills at any time introduced for that purpose, his opposition had sprung altogether from objections to their details, and not to the principle on which they were based. But then the noble and learned Lord had accused the Government of not taking sufficient notice of other matters connected with the Church of Ireland. To that he answered, that a Commission was engaged in a course of inquiry upon the subject, and that until the Report of that Commission was made, it would be as premature as it would be impossible for the Government to state what it intended to do. As far, then, as related to the question of Irish tithes he denied the charge of inconsistency; and he would next proceed to convince their Lordships, that it was equally unfounded as regarded the contemplated measures respecting English tithes. The noble and learned Lord had been somewhat wholesale in his charge of inconsistency on this point, gravely affirming that every member of the Government had on former occasions expressed themselves adverse to the principle of composition. Now, would the noble and learned Lord oblige him by pointing to any passage in any speech in which any member of his Majesty's Government ever expressed an opinion unfavourable to composition of tithes in England? For himself, he hesitated not to say he never expressed such an opinion; and he repeated, he challenged the noble and learned Lord to cite the speech in which he did.

Lord *Brougham*—I never accused the noble and learned Lord with inconsistency on these points. What I said was, that the Speech from the Throne was generally inconsistent with the former conduct of the Members of the Government.

The *Lord Chancellor.*—And I to refute the charge am going through the principal heads of which that Speech is composed.

Lord *Brougham.*—I merely stated, that the Ministers claimed the confidence of the country not as Reformers, but as persons prepared to carry Reform. I did not say that the Speech was a Reform Speech; and, therefore, the noble and learned Lord cannot with justice accuse me of implying, that his professions as contained in his Majesty's Speech are inconsistent with his professions of no Reform before he took office.

The *Lord Chancellor.*—I never made any professions of Reform, but that contained in his Majesty's Speech from the Throne, and I shall prove that there is nothing inconsistent between that Speech, and any I may have made on any former occasion. The next point to which the Speech referred, were the Reforms in law, including the Ecclesiastical Courts, the Civil jurisdiction, and general Church discipline. Were these promised Reforms inconsistent with the course he had formerly pursued? Why, the very Commission which recommended those Reforms was issuedwhile he held the Great Seal, and met with his cordial approval. Then, with regard to the claims of the Dissenters, how stood the case? The noble and learned Lord was pleased to sneer at the manner in which these claims were treated in the Speech, and had asked the question, "Is it thus you propose to remove the discontent which prevails among that class?" Now, he would humbly recommend the noble Lord to reserve his sneers until the Government measures upon the subject came before the House, inasmuch as he exposed himself to their recoil, when levelling them against a Bill of the provisions of which he was of necessity perfectly ignorant. In the Speech from the Throne the Dissenters' disabilities were spoken of only so far as related to the subject of marriages; but he was authorized to state that the Government proposed going much farther, and intending to make every concession in their power, they looked forward to satisfy every reasonable claim that might be offered. He next came to the Church Commission, to which the Speech alluded. Was there anything, he asked, in the appointment of that Commission inconsistent with his former declarations? They had appointed that Commission with a view of ascertaining the practicability of several Church Reforms; but their especial object had been to ascertain in what way the produce of such Ecclesiastical sinecures as might fall in from time to time could best be applied to the substantial purposes of religion. As a practical illustration of what their intentions on that head were, he thought he was justified in referring to what the right hon. Baronet at the head of the Government had done on the occasion of an Ecclesiastical sinecure falling vacant since his accession to office. Immediately on his being informed that such was the case he applied to the Commissioners as to how its proceeds might be best employed for substantial religious purposes; and upon its being represented to him that the division of an extensive parish, containing upwards of 25,000 souls, would be found a great convenience and advantage to the parishioners, he at once gave directions that the division should take place, and applied the revenue derivable from the sinecure to the defraying of the expenses for performing the additional service. This was a practical proof of the sincerity of their intentions; and he might add to it that it was the determination of the right hon. Gentleman who presided over the Duchy of Lancaster, and of himself, as being the parties in whom a great portion of the Crown Ecclesiastical patronage was vested, to submit every sinecure that chanced to fall due within their jurisdiction to the disposal of the Ecclesiastical Commissioners, in order that they might point out how its funds might best be applied to the purposes of religion. This was the case he had to make out in reply to the attack of the noble and learned Lord. The charge of inconsistency, as well applied to him as to his colleagues, he denied—he denied it *in toto*. There was, he asserted, nothing in the King's Speech at variance with his former conduct and principles which the Government had professed. The charge was as unfounded as it was false. He repelled it as it ought to be repelled, and in doing so he could not refrain suggesting to those who brought it forward the propriety as well as the expediency of assuring themselves when about to make an accusation that they did so on something bearing the semblance of a solid foundation. What the result would be he would not presume to say; but he was sure their Lordships would do him and his colleagues thus much justice—they would wait to see what the measures they had to propose were, and judge them by their intentions and not by the speeches of their political opponents. The noble and learned Lord, as well as the noble Viscount who preceded him, had referred to the late decision of the House of Commons as conveying evidence of the sentiments of the nation. Notwithstanding that decision, however, he relied with confidence on that House of Commons for a full, fair, and impartial trial of the sincerity of the Government. But should it so happen that circumstances should prevent him from looking up with such hope to the ultimate decision of that House, he and his colleagues had another prop fully adequate to sustain and encourage them in the arduous task in which they were engaged. Need he say he alluded to the good sense and sound judgment of the people of England. That sense and that judgment directed and influenced the conduct of the House of Commons, and he felt sure that the gross factious principle so clearly developed on the occasion alluded to would never meet the sanction of the country; and if it did he felt an equal confidence that in the long run the House of Commons would see the necessity of deserting, and of following in that way which was alone consistent with those principles justice required at its hands.

Lord *Brougham* said, the present was the first occasion on which he had ever heard any one beyond the merest wrangling clown, use language so confounding the difference between an erroneous opinion and a mis-stated fact. He denied positively having accused the noble and learned Lord on the Woolsack of sacrificing his principles to retain office. What he did say amounted to this:—first, he stated the fact that the Orangemen of Ireland had accused the present Government, while in office in 1828, of passing the Emancipation Bill solely to retain office, and that he had risen in the House of Commons to defend them from what he believed an unmerited charge; and secondly, he stated, as a matter of opinion, that as a similar charge was now made against the same Ministers, he was justified in suspending the opinion of their innocence which he had formerly expressed.

The *Lord Chancellor* thought that, as the noble and learned Lord had withdrawn his offensive imputation, he (the Lord Chancellor) was bound to apologize for the warmth he had evinced.

Lord *Brougham*—But I do not retract.

Lord *Mulgrave* said, that with regard to one of the grounds stated for the dismissal of the late Government—the removal of Lord Spencer from the House of Commons, it must be evident to every one how different was the question of the formation of a Government, if, being still in that House, from political reasons he had seceded from it, or when from natural causes only he was removed to another place, from its continuance on the same principles. The noble and learned Lord had asserted, that the dismissal of the late Ministers was entirely satisfactory to the country, and he instanced a meeting at Manchester, which, however, he would remind him, consisted of the friends of Mr. Cobbett. The noble Lord, who seconded the Address, said, the people saw that there was no alternative but Mr. Cobbett or Sir Robert Peel, as they did not wish the return of the late Ministers. But there was no alternative in the question, Mr. Cobbett and Sir Robert Peel being both on the same side. The reason why Mr. Cobbett opposed the return of the late Ministry was one which the noble Duke would not wish to have urged against him—the passing of the Poor Law Bill. That was the reason why the adverse resolution was carried at Manchester. But what was the real opinion of the respectable inhabitants, as displayed in the general election? They returned Mr. Poulett Thomson and Mr. Mark Philips by a triumphant majority, against the supporter of the noble and learned Lord's Government, who split his vote and combined his forces in favour of Cobbett. With respect to the interregnum, would the noble Duke have thought it consistent with his duty to take the unconstitutional course he had taken on a former occasion, when he had himself terminated the cause of misrule? Would he, or a much more popular man at that time, have ventured to take upon himself the awful and unconstitutional responsibility of holding all the offices of the State at once, and would the country have borne it? No one was more disposed to maintain the legitimate powers and prerogatives of that House than he, but God forbid that they should ever attempt to form a Government by themselves, because, if they did, they would find they had not the power to maintain it. If they looked back to the history of the country, they would find that, on every occasion, when a Government was driven from power by a majority of the other House, it was backed by a majority in this. The result of the elections in the City of London, the metropolitan boroughs, and the great provincial towns, had been entirely different to that which the new Government anticipated. Sir Robert Peel had declared, at the dinner given at the Mansion-house, that he must be supported by men on whom the country could also rely. But what had become of the men upon whose support he had calculated? What had become of Sir George Murray in Scotland, and of the newly-appointed Lords of the Admiralty, who sought to be returned to Parliament after they had accepted office? Why, they were as much scattered as ever a convoy was by a storm. It was quite true, as the noble Duke had mentioned, that we had suffered two defeats, but what would be thought of the chances of a game at chess, when against all these pieces captured on their side, they could only show the loss of one knight in Hampshire and a pawn at Chatham, the triumph of the principles of Reform was, notwithstanding, fully established by the result of the late elections. But then the House was told, that the present Government ought to have a fair trial. Had they not, however, been tried already and found guilty, four years ago, of incapacity to guide the helm of the State? They were condemned by the country simply on the evidence afforded by their previous character; and if they were not fit to be trusted by the country, they were not entitled to the confidence of Parliament. Their only hope of acquittal could be grounded on the assumption of guilt, that stolen measures were to be shown as found in their possession. With respect to the question of the Irish Church, it appeared that his Majesty's Ministers had put into the mouth of the Sovereign something which implied an intention to effect a settlement of that important question. He hoped they were sincere in that intention, but he owned he felt no great confidence that they would fulfil the wishes of the country in that respect, particularly when he remembered the manner in which a majority of that House had acted on that same question at the close of the last Parliament, when a measure for the benefit of the Church of Ireland was brought in by his Majesty's then Ministers, and defeated by one of the most factious votes ever given in Parliament. The rejection of that measure had occasioned not only the greatest possible distress to the Irish clergy, but it had also produced party strife and bloodshed. With regard to the present Government, he thought, that the manner in which it was constituted was extremely objectionable, inasmuch as it was composed exclusively of men in whom the country could place no confidence; and when they declared their determination to follow up the principles of Reform, he could not but remember that the very men who so pledged themselves had, when in power, governed Ireland by coercion, and England by corruption.

The Earl of *Ripon* said, it was his intention not to vote for the Amendment proposed by his noble Friend, but, on the contrary, to support the original Motion for the Address. But he thought himself bound in duty to state, that although he was prepared to take that course, he could not profess to take it upon the ground of giving an unqualified confidence to his Majesty's present Ministers. He certainly could not be expected to feel, with respect to the Government that was recently in power, in the same way as those who had belonged to it, or those who had felt it to be their duty to support it. He unquestionably had felt himself compelled, with great reluctance he could not deny, but from a sense of positive duty, to withdraw himself from the connexion which he had formed with the Government of Earl Grey. It was impossible, having withdrawn from that Government upon a question of great public principle, upon which those who remained in it differed entirely from him, it was quite impossible that he could be prepared to give to that Government the full confidence which he had given it as long as he remained a Member of it. And he would not deny that the circumstances which subsequently took place, and which ended in Earl Grey's ceasing to be at the head of the Government, did excite in his mind still greater doubts as to the possibility of giving to the Government which succeeded anything but a very qualified support. But he was not prepared, with regard to that Government, to take any course of systematic opposition, by which the Members of it might be removed from office, unless the measures which they brought forward should have compelled him ultimately to adopt that course. Such being the state of his feelings with respect to the Government which had recently been removed from office, he could not honestly say that he looked upon the removal of that Government as such a grievance or calamity as to render it indispensably necessary for that House to express such an opinion with respect to its dissolution as was involved in the Amendment moved by his noble Friend. Now, although he was not prepared to give to the present Government that degree of confidence which he should always wish to give to those who were charged with the difficult task of administering the affairs of this country, he was not ready to declare that they were so utterly devoid of all credit for sincerity as to warrant him in taking the course proposed by his noble Friend. He must, however, say, that the course which he should ultimately feel it to be his duty to pursue with respect to the present Government, would depend entirely upon the manner in which they followed out the principles which were laid down in his Majesty's Speech, and upon the nature of the measures which they should call upon that House to sanction. His noble Friend had told them that it was preposterous so suppose that a Government, the Members of which had taken so decided and unqualified a part in opposing the great measure of Parliamentary Reform, could be sincere, or that they could really intend to introduce any measure founded upon the principles of that great Act. Upon that he should say, in the first place, what indeed had already been said by the noble and learned Lord (Lord Brougham) himself, that be the disposition of the Government what it might, they must pass measures of that description. It was absolutely impossible for them to hope to retain their places for four-and-twenty hours (he was confident of it, from what every one knew to be the universal feeling of the country), unless they did really and *bona fide* make their measures such as should be conformable with the well understood wishes of the intelligent part of the public. He for one felt that it would be impossible for him to support their measures, unless they were founded upon those principles. But when his noble and learned Friend (Lord Brougham,) argued the absurdity of supposing that men who at a former period had objected to the adoption of a particular measure, or a particular principle, were fairly entitled at a subsequent period to claim even that limited degree of confidence which was involved in waiting to see what measures they would propose—when his noble and learned Friend urged that argument with the energy and vigour peculiar to him, he advanced an argument which would have rendered it absolutely impossible for his noble and learned Friend to have sat in the Cabinet of which he (the Earl of Ripon) was a Member. His noble and learned Friend was very well aware that he (the Earl of Ripon), whilst a Member of the other House, had over and over again voted against measures that were introduced for the purpose of procuring a Reform of Parliament. But his noble and learned Friend, and the colleagues with whom he had recently acted, never thought, that because he had been opposed to that question at former periods, it was therefore any degradation either to him or to them that he should be united with them in carrying the important measure of Reform which was passed during their Administration. In departing from the course which he had previously pursued with respect to that question, he had acted from the honest conviction of his mind. He thought that the time had arrived when the passing of an extensive measure of Reform became imperatively necessary, and he had made no trifling sacrifice of his own personal feelings and personal comfort to enable him to act up to the spirit of his conviction. But he never heard from any one of his colleagues that he was unfit to sit in the same Cabinet with them, because he had previously invariably opposed himself to every measure of Parliamentary Reform that had been brought forward. Then, again, with respect to what had been said with regard to the Roman Catholic question, the way in which the conduct of the Members of the present Government struck him was not at all the same as the way in which it had been represented by his noble and learned Friend. Indeed, when the measure of Catholic Emancipation was introduced the noble and learned Lord himself declared that he was disposed to give to the Government by whom it was brought forward all credit for abandoning their former mistaken opinions, because he was glad, upon any terms, to get that great measure carried. That was undoubtedly the feeling which at that time influenced his own mind. He did not mean to say that there were not some things associated with the carrying of that measure which brought painful feelings to his recollection, but, nevertheless, when he saw the Government of the day vehemently attacked by those who were adverse to the measure, on account of the change that had taken place in their opinions, he certainly was one of those who did with cordial good will support them as far as he could against what he thought the unreasonableness and injustice of those attacks. His noble Friend, the noble Earl lately at the head of his Majesty's Government pursued the same course. He recollected that, in the speech which that noble Earl made in support of the measure, he not only vindicated the change that had taken place in the opinions of the Government, and characterised it as wise, honourable, generous, and disinterested; but emphatically added that the conduct which the Ministers had pursued in bringing forward the question tended to confirm his previous disposition to think favourably of their general policy. Then he was entitled to argue, first, from the authority of that noble Earl; and, secondly, from what had occurred in his own case, that he was not necessarily bound to refuse to any Government an opportunity of producing its own measures, merely because, with regard to one particular measure, the Members of that Government had, at former periods, pursued a different line of policy He would not enter into the question of the dissolution of the late Government, and of the late Parliament, further than to say, that it was quite clear, and seemed by every body to be admitted, that if the dissolution of the Government was necessary, the dissolution of the Parliament followed almost as a matter of course. One word upon the subject of the interregnum, as it has been called. He did not think that there was anything illegal in what took place at that time. But it had been said, that what occurred was unconstitutional, and in a certain sense he certainly should be prepared to contend that it was. Above all, he should say that it would be unconstitutional if it should be pressed to extremity in point of time; and he thought in any case, unless some such extraordinary exigency could be made out as would warrant the proceeding, it might be necessary that some Parliamentary record should be made of it to prevent its slipping into a precedent. In the recent instance he did not think that any practical grievance had resulted from it. As regarded the interregnum, therefore, he did not conceive the Amendment necessary. He came next to the measures that had been announced in his Majesty's Speech. Undoubtedly, the terms in which those measures were alluded to were indistinct, and far from being definite; and, for that reason, those who distrusted the Government might say that they were not contented with the Speech as it stood, and that on that account they wished to press the Government by interposing the authority of the Amendment moved by his noble Friend. But it was to be remembered that in a Speech from the Throne it was scarcely possible to do more than merely to refer to measures of such an extensive nature, and of which the merits after all, must principally turn upon the manner in which the principle was worked out. It, therefore, could hardly be expected that the measures proposed to be introduced by the present Government should be more distinctly shadowed forth than they had been in the King's Speech. But one thing was perfectly clear, that the measures brought forward by the Government must be such as would conduce to the harmony and contentment of the people. The public mind was set upon material and important changes, not involving, in his opinion, any mischievous principle of innovation, but upon the safe principle of remedying abuse wherever abuse was found to exist, and no Government could prudently attempt to withhold measures upon which the public mind was determinedly fixed. There was only one other point upon which he wished to address a few words to their Lordships, and that was connected with the report on Municipal Corporations. It was perfectly true as regarded that report, that his Majesty's Speech was very meagre. The Speech did not undertake to do anything at all with regard to Municipal Corporations. It left the House to guess whether any measure was to be brought forward upon the subject. He confessed that that part of the Speech would be very unsatisfactory to his mind, attaching as he did, and he believed the public would, great importance to that part of the Speech, if it were not for the peculiar circumstances in which the question stood. Those circumstances were not merely confined to the fact that there was a Commission then in force to examine into the nature of the subject, with a view to ascertain not only the extent of the grievance, but the mode by which that grievance might be redressed; but that Commission originated in consequence of the Report of a Committee of the House of Commons which was specially appointed to suggest the means of reforming the abuses that were supposed to exist in the Municipal Corporations of the country. From particular circumstances, however, such as the necessity either of visiting the Corporations, or bringing the officers of the corporate towns to London, the members of the Committee felt themselves incompetent to the task of making all the inquiry that would be necessary before any effective measure could be introduced. They therefore recommended that an Address should be presented to the Crown, calling upon the King to appoint a Commission to prosecute the inquiry, and to report upon it. It was in consequence of that recommendation of the Committee that the Commission now in force was appointed; and amongst the members of the Committee so inviting the Crown to appoint the Commission was, he believed, the right hon. Baronet now at the head of the Government. He thought, therefore, that under those circumstances it was no matter of just blame to the Government, if the King's Speech upon the subject of Municipal Reform, was not so distinct as it would otherwise be desirable that it should be. It was upon those grounds, which under other circumstances, and at an earlier period of the evening, he might have been disposed to enlarge upon, that he was not prepared to vote for the Amendment moved by his noble Friend, and that he should vote for the Address as it stood. He wished to see good measures. He was not one of those, who wished to overlook the principle of men as well as of measures; but he felt, that the very fact of having passed the great Bill which made so important a change in the Constitution of the House of Commons, placed any Government, however it might be composed, upon a footing totally different from that upon which any previous Government had ever stood. It would no longer possess the same certainty of being able to command a majority in the House of Commons; it must be prepared to expect defeat where formerly it could rely upon success; and it was clear that under the operation of the Reform Bill, no Government, however popular, however much entitled to the confidence of the country, could now have the same degree of control over the House of Commons as in former times. If the present Government did not follow out the principles indicated in the King's Speech, they could not expect to maintain their situation, or to acquire that which they were so anxious to acquire, and which it was still uncertain whether they had acquired—the confidence of the country.

Lord *Brougham* said, that his object in rising was to explain a point that had been alluded to by the noble and learned Lord upon the Woolsack. He (Lord Brougham) very well remembered that he had issued, or directed to be issued, four, five, or six fiats to the Lords-Lieutenant of different counties, for the selection of fit and proper persons to fill up vacancies in the commission of the peace. But those fiats were issued, or directed to be issued, about a fortnight or three weeks before the event happened which led to the dissolution of the late Government, and not, as the noble and learned Lord asserted, after that event had taken place. It was very possible, that some delay might have taken place in making the return to the proper office in London, but that delay was not attributable to him. What had been said by the noble and learned Lord about the Chancellor holding the office of Chief Baron was perfectly correct. He had been called up by their Lordships, and would not sit down till he had said all he had to say. In giving the advice he had to his learned Friend, he was actuated by the fear of the Great Seal being put in Commission, which would have had the effect of closing the Court of Chancery.

The Duke of *Wellington* begged to say, with reference to the appointment of Justices of the peace by the late Lord Chancellor, that the noble and learned Lord had made additions to the Gentlemen in the commission of the peace for the county of Southampton without any communication with him (the Duke of Wellington), who had the honour of being the Lord-Lieutenant of the county. Indeed, one appointment had been made by the noble and learned Lord in direct opposition to his wishes. The party was an excellent man, but he (the Duke of Wellington) objected to his being put on the Commission; first, because he was not qualified, and next because he was bound over to keep the peace towards one of the Magistrates of the very Bench on which he would have sat.

Lord *Brougham:* That was an instance of his rule. The noble Duke had shown cause against the individual in question; he had considered the argument, and had decided against the noble Duke. As to the party being bound over to keep the peace, so was he (Lord Brougham) himself; but that was no argument against his acting as a Magistrate. If the Gentleman in question was by some mistake appointed without being qualified, the Chancellor could remove him from the Commission; but he was induced mainly to appoint him by the good account the noble Duke (whose acquaintance he had been in India) himself gave of him.

The Duke of *Richmond* rose to explain the grounds on which he intended to vote for the original Address, and against the Amendment of the noble Viscount. Ridicule had been attempted to be fastened upon those who wished to give the present Government a fair trial. Now, although he candidly acknowledged that he had no confidence in the composition of the present Administration—the fact of its Members having turned round upon the Catholic question, had never had his approbation, or been a cause with him for giving them confidence—but at the same time, when he found that the country had been appealed to by the King, and that his Majesty in his Speech, which was the speech of Ministers, had declared an intention of proposing to Parliament measures which he thought of paramount importance, he should feel himself to blame if he refused them the opportunity of laying their measures before Parliament. The country must gain something by such a course. If it were true, that parties were nearly balanced in the other House of Parliament, the Reformers there would have it in their power to extend the beneficial parts of the measures to be brought forward. Suppose, on the other hand, that a contrary course was taken, and that the Government was thrown out to-morrow, could a new one be framed without again agitating the country by a dissolution? If the division that took place in the House of Commons on the first night of its meeting was really a trial of strength could any one believe that any other party than that at present in power could carry on the Government? He would give no opinion as to whether it was right or wrong that the late Administration should have been removed, for he knew none of the particulars which led to its removal; still less would he give any opinion on the dissolution of the late Parliament. Whilst he was upon his legs, he begged to say, that there was one part of the Speech from the Throne which met his humble but warmest approbation. He meant that which related to the agricultural interest. From his own knowledge of one county of England, he could say, that the agriculturists had been for many years distinguished for loyalty to their Sovereign, and the patience with which they had borne a state of distress which was most alarming to the interests of the Empire at large. The King states, that he hopes Parliament will be enabled to relieve the agriculturists from some of their local taxation. They deserved this boon, which, indeed, would be only an act of justice; for he never could conceive why the whole expense of maintaining the police of the country, the jails, and discharging the costs of prosecutions, should be thrown, not upon personal property, forsooth, but on the unfortunate landowners and land occupiers. He hoped, therefore, his Majesty's Ministers would lose no time in carrying that relief to the greatest extent that was consistent with public credit. He would add that he regretted there was nothing in the King's Speech, calling the attention of Parliament to the establishment of Poor-laws in Ireland; not the Poor-laws of England, but Poor-laws founded upon the principles of the 43rd of Elizabeth. That Act was based on justice and humanity, and he trusted that now the House of Commons really represented the people, it would take care that some provision was made in Ireland for the relief of the aged and infirm. He would say no more, as his chief object in rising was to prevent its being supposed that his vote in favour of the Address, implied confidence in his Majesty's Ministers. But he was prepared to give them a fair trial; he would judge them by their measures, and would not reject their boon because it did not come from the Cabinet of which he had had the honour to be a Member.

The Amendment was negatived; and a Committee appointed to prepare the Address.

HOUSE OF COMMONS,

Tuesday, February 24, 1835.

The Address.] *Lord Sandon* rose to move an Address, in answer to the King's Speech. His Lordship commenced by intreating the indulgence of the House. And then proceeded to the following effect.—However painful or onerous to my mind, the task I have undertaken, however alien or uncongenial to my Parliamentary habits, which have never led me to trespass at length on the attention of the House, or to take a very prominent part in its discussions, yet, when the question was put to me, whether I would discharge this duty, I did not hesitate for a moment as to my answer. I felt it was my duty to show, that having at all times supported the extension of civil and religious liberty to every class of my fellow-subjects, I was not yet prepared to identify myself with those who are the open and avowed enemies of the Established Church. I was anxious to show, that having supported the Reform Bill in all its main stages, I was yet not inclined to put upon it that construction which it has of late been the fashion to force upon it; viz. that it was not so much intended to give to public opinion a useful and efficient control over the measures of the Ministers of the Crown, as to decide who those Ministers should be. I felt that that doctrine, however convenient to a certain party, would not be convenient to the public service; and as I had supported that measure in every important stage, I was anxious to show that there was one at least of its friends who did not join in that construction. I was anxious, too, to support that claim which the right hon. Baronet at the head of the Government has made upon his country, that the present Ministers shall have a fair trial and a full hearing. I felt that the prerogative attempted to be assailed was as essential to the liberties of the people as to the dignity of the Crown, essential to protect the liberties of the people from the domination of a faction, whose interests would be served, by extinguishing, without cause, that right of trial which I now vindicate. Never having either professed or entertained any confidence in Lord Melbourne's Administration, I was certainly not curious to inquire how it happened that that Administration was dismissed and the present substituted in its place. No doubt that inquiry will be made by other Gentlemen, who are in that respect in a different situation from myself. It is quite fit that it should be made, for the exercise of so high and important a prerogative can never be a matter of indifference, to a British Parliament. But, as I before said, never having myself professed any attachment to, or confidence in, Lord Melbourne's Administration, and seeing on the face of the facts themselves, that the change had not been accomplished by intrigue, I do not feel myself called upon to make very curious inquiries into the causes of the charge. If upon these general grounds I felt disposed to take the part I am now taking, painful as it is to me, the Speech we have just heard from the Throne confirms me fully in the propriety of the course I have pursued. As one who for a time at least was connected with the Administration of Lord Grey, and who is conscious to himself of having never deserted the principles on which he made that junction, I have looked to the King's Speech to see whether the principles of Lord Grey's Government are likely to be endangered by the present Administration. The great principles which Lord Grey emblazoned on his political standard were these—peace, economy, and Reform. With regard to peace, so far from its being perilled by the present Administration, I find that while they are equally friendly with some States, they are more friendly with others. While they have ripened and strengthened the connexion with the newly-formed free Governments of Europe, those powerful States which do not yet enjoy the benefit of liberal institutions, feel so much confidence [" *Cheering from the Opposition benches*"]; yes, feel so much confidence in the maintenance of peace, that two of them at least, Austria and Prussia, have already considerably reduced their vast military establishments. [" *Cheers from the Opposition benches*"]. I suppose I am to understand by those cheers, that it is not considered advantageous to be at peace and on terms of confidence with these powerful States. If so, this is not the doctrine of the Whigs of old; it was not the doctrine of Mr. Fox, who expressly repudiated it as unworthy the consideration of a British Minister. He maintained that whatever might be the form of Government of a foreign State, whether free or despotic, it was the interest of Britain only that ought to be considered in the choice of our alliances. To think otherwise seems strange indeed, in those who have proclaimed so loudly, whatever may have been their practice, the doctrine of non-interference. With regard to the second point—economy—perhaps the name of the Duke of Wellington and his connexion with the present Administration—his exertions in the cause of economical Reform, which were the subject of deserved eulogy from his successors in office, might serve as a sufficient guarantee; but the fact announced in the Speech from the Throne, that the estimates of the year will be lower than in any recent year, relieves us from the necessity of resting on any hypothetical conclusion, and cannot fail to be satisfactory to the House and to the country. In this state of the public revenue after the charge shall have been defrayed which that great act of national justice and humanity —the abolition of slavery—has brought upon the country, we may hope to see it relieved still further from the burthens which now press upon it. Though I am myself, by representation, more connected with commerce than with agriculture, I cannot but share in the condolence expressed in the Speech upon the state of agriculture, and express my satisfaction that some hope is held out that assistance may soon be afforded to that interest, with the prosperity of which all other interests are connected. The third topic, perhaps the greatest — no doubt the greatest, is Reform. Lord Grey, on the subject of Parliamentary Reform, made a larger concession to the public feeling than he himself originally contemplated or any Reformer expected. He went so far, avowedly for the purpose of going no further; and I must do his Government the credit of saying that, during their tenure of office, they did resist all further attempts to travel farther on the same road. They did oppose all the farther changes in our Parliamentary system, which were brought forward from time to time, and pressed upon them and against them by the hon. Gentlemen who are now sitting by their sides. Therefore, as regards Parliamentary Reform, I may appeal to those who formed part of Lord Grey's Administration—to those who supported the Reform Bill on the principle on which it was propounded —whether anything more was to be expected, from the Government of Lord Grey? Will any man stand up in this House and say, that he thinks the Reform Bill, proposed by Lord Grey, and carried into full effect by him, is in any danger from the present Government? [*Cheers from the Opposition benches.*] I suppose I am to understand that cheer as an acquiescence in my proposition. ["*No, no!*"] I did not expect, in an assembly pretending to common sense, and where absurdities will be refuted as often as they are advanced, that such an assertion would have been ventured even in a cheer. I thought that hon. Members on the other side would have been content to leave such assertions behind them in the taverns, or on the hustings for which alone they are suited. I know it has been said, that the present Ministers, as they resisted the principle of Reform, would not be true to their own principles if they did not attempt to repeal the Reform Bill when in power; but I do not think that in this House, though I may be deceived in my expectation, such a doctrine will be held—that no man who has opposed a measure because he thought it dangerous, after it has been formally adopted by the Legislature, can be true to his own principles unless he endeavour to repeal it. The measure of Catholic Emancipation was considered one of great importance to the liberties and constitution of the country; but I never heard it asserted of any man who objected to it and who took office since, that he was a traitor to his principles because he did not use all his exertions to obtain the abrogation of that law. I say, then, that in Parliamentary Reform no practical difference can be discovered between the present Administration and that of Lord Grey. [*Cheers from the Opposition.*] I say practically, and with regard to the future, there will be no difference. Lord Grey would have given no more; and the present Ministers will take away none of what he gave. But it will be said that the Reform Bill is not to be left a mere barren measure of constitutional law; what, then, are to be its fruits? Perhaps that which has most attracted public attention, is the Reform of Municipal Corporations. No doubt much in those Corporations does require correction, much both in the management of the funds and the constitutions of the various bodies; but it is a question of great complication, and one on which Lord Grey's Government thought it necessary to institute a minute inquiry before it proceeded even to suggest a remedy. If the Report of the Commissioners has been too long delayed, it is the fault of the Commissioners appointed by Lord Grey; and it is not to be expected of this Government more than of that of Lord Grey, that they should proceed to Reform before they have arrived at the result of that investigation. At the same time I have full confidence that as soon as it is complete, the present Ministers will not be slow in applying an effectual remedy. With regard to the practical grievances under which the Dissenters labour, perhaps the second only in importance of all that have been alluded to in his Majesty's gracious Speech from the Throne, I do not conceive that any difference in opinion as regards the principles of any measure upon that subject can exist between the members of the present Administration and those Gentlemen who composed the Administration of Earl Grey. When I look at the three points involved in that question, namely the rite of marriage, the registration of births, and Church-rates, I cannot help recollecting that the measures upon each of those important questions which were introduced by Lord Grey's Government were not opposed by the Members of the present Administration. The measures that were introduced by that Government, if opposed at all, were opposed only upon points of detail, and not upon the principles upon which they were founded. With regard to marriage a measure is announced as already in preparation. With regard to Church-rates, I conclude from the language which the right hon. Baronet now at the head of his Majesty's Government has recently held to his constituents, as well as from the sentiments expressed by him upon that subject in the last Session of Parliament, when he ranked among the Members of the Opposition, that the only difficulty that can occur to him as to the mode of achieving a settlement of the question must be mere difficulty of detail. It must be remembered, that Church-rates constitute one of those burthens which fall upon the land; and as the burthens which bear more exclusively upon the agricultural interest have been especially alluded to in his Majesty's Speech, it is not improbable that the burthen of Church-rates is included amongst those for which some provision is to be made. I cannot take upon myself to say, that it is so; but knowing that the burthen of Church-rates is one of which the agriculturists complain, I cannot help regarding it as likely that, under that head, it will come under the consideration of his Majesty's Government. With regard to the admission of Dissenters to the Universities, which is another grievance of which the Dissenting body think they have a right to complain, I have no doubt that the right hon. Baronet will still, as heretofore, oppose any Parliamentary interference with those bodies; but the grievances arising from that exclusion, which formed the original subject of complaint, are either already removed, or in the course of removal, by other means. The measures of Amendment in our legal institutions which the right hon. Baronet now at the head of the Government commenced many years ago, and which drew down upon him from all parties and from all quarters of the House such an unanimous tribute of praise, it appears from his Majesty's Speech, it is the right hon. Baronet's intention to continue. Another important subject, which has occupied the attention of every succeeding Government for a considerable period of time,—namely, the question of Irish tithes, we find has not escaped attention. In his Majesty's Speech the King's Ministers announce their intention of introducing some scheme finally and satisfactorily to settle that question. And when I remember that, even when in opposition, the Members of the present Administration co-operated warmly and ardently in the measures proposed by Lord Grey's Government upon that subject, I do not doubt that the measure that they will introduce upon this occasion will at least not subject them to the charge of indifference upon that great and vital subject. If I recollect right, the Bill introduced by my noble Friend who filled the office of Chief Secretary for Ireland under Lord Grey's Administration, was fully supported in every part by the right hon. Baronet now at the head of affairs; and I hope that the measure which that right hon. Baronet will now introduce will be such as to afford satisfaction to all parties. Unlike the Bill of last Session which was left by Lord Melbourne's Administration to be moulded by the hon. and learned Member for Dublin, I hope it will not rob both the Church and the State, for the purposes of putting an inordinate advantage into the pocket of the Irish landlords. One important point, as connected with the question of tithes in Ireland is their appropriation. Upon that point, a wide difference of opinion certainly did exist between the majority of the last House of Commons (perhaps it may exist also between the Members of the present House of Commons) and the Members of the present Administration. This is not a fit or convenient occasion to enter into the discussion of so large and extensive a question. Thus much, however, I will say, that I think the question is never fairly stated by hon. Gentlemen in this House. They interest our feelings by a recital of all the miserable consequences which certainly do flow from the present system of tithes in Ireland; and, when our feelings are excited we are then told, that those evils can only be removed by the removal of the Protestant Establishment. They tell us also of the injustice of leaving the poor peasant, after he has paid this tithe to the Protestant Church, the burthen of supporting a Church Establishment of his own; and there is much truth in that picture also. But they omit to tell us, that that portion of the evil, which arises from the collection of tithes in small fractions from a pauper peasantry is quite independent of the question of appropriation to one Church or another; that to it all parties are equally anxious to find a remedy, and that that is not the question in dispute, and they leave equally out of sight, the other portion of the evil, that which arises from leaving the poor peasant burthened with the maintenance of his own priest, with all its attendant mischiefs, was as little prepared to be remedied by Lord Melbourne's, as by the present Administration. Now, if it were proposed to take away the revenues of the Protestant Church in certain parts of Ireland, and to transfer them to the Catholic Church, thereby relieving the peasantry from the support of their own Establishment, and rendering the Catholic clergy independent of the ignorance, and passions, and vices of their flocks; although to such a scheme there are grave objections; yet, at least some argument may be held upon it, some advantage would be gained. But we must recollect that the Members of the late Administration disclaimed the intention of giving one shilling of the Protestant revenues to the Catholic clergy. Their measure of conciliation consisted solely in this; that a certain number of Protestant clergymen, after all that is odious or offensive to a Catholic population, in the mode of their maintenance, is got rid of, should cease to be found in the Catholic parts of Ireland. Now, in my eyes, the plunder of Church property has no such abstract charms as to make me desirous of committing it at least without the inducement of some great advantage, an advantage, which I cannot see in the plan of the late Administration. In their plan, I see nothing but injury to one party, without advantage to the other; nothing but triumph to one party, stimulating them to farther struggles, and defeat and discomfiture to the other; but to the peasant, the poor miserable peasant, of whose wretched condition so much has been said within the walls of Parliament, it would afford no benefit whatever. In the next place, his Majesty announces to us, that his Ministers have in contemplation a measure for the commutation of tithes in England and Wales. This is a question much less complicated by questions, both of property and religion than that of tithes in Ireland; but, at the same time, it is, undoubtedly, of high importance to agriculture; and doubly important as it tends to promote that harmony and good feeling which ought to exist between the people and their spiritual instructors. But of all measures of Reform which the present Government are prepared to introduce, the most important, the most acceptable to the people, is the measure of Church Reform; and this Reform, at least, will surely not come improperly from the present Administration, since the first measure for a better disposition of the revenues of the Established Church in England came from the same party; I cannot but recollect, that a measure which distributed 300,000*l.* a-year more than was distributed amongst the working clergy of the Establishment,—and first secured their rights,—originated with Mr. Percival, and from a noble and dear relative of my own, his intimate friend and colleague. I am not aware that any charge of inconsistency has been brought (I do not think it will be brought) against the members of the present Government, on account of the measures of Church Reform that they propose to introduce. It is hardly necessary for me to enumerate those measures. They are enumerated in his Majesty's Speech,—they are enumerated in the Commission which has some time been issued; and I think it would be difficult to find any one object connected with Church Reform which is not alluded to more or less distinctly in that Commission. I will only say, that I concur most cordially in that Commission. The object is one that I have always looked to with great anxiety—which has long been desired by a large portion of the Church itself, and which, coming from a quarter favourable to the Church, will not be looked upon with jealousy by any within its fold. I am glad to see that his Majesty has recommended to us farther extension of the means of attending religious worship to the poorer classes of society in Scotland; inasmuch, as recent investigation has established the existence of greater deficiency in that respect in parts of that country, than even in almost any parts of England. I rejoice to see in it the assertion of the principle, that it is the duty of a State to provide for the religious instruction of its people, a principle, by the way, which it now seems as necessary to assert in favour of the poor and the unassuming Church of Scotland, the revenues of which are equally distributed, as of what is called the proud and wealthy Church of England, with all the unequal distribution of her revenues. I know that these reforms are not of a nature to touch the minds of some gentlemen in this House. I know they are not of a nature to receive the support of the hon. and learned Member for Dublin and his friends. I am afraid that there are some Gentlemen, also, Representatives of my own country, whose feelings will not be affected by them; but, at the same time, I know that these are the reforms which do touch the feelings and affections of a great majority of the country. It is not in vain that we come here fresh from the elections,—that we come fresh from a direct and close intercourse with large bodies of our fellow-subjects; it gives us an opportunity of knowing and stating the real feelings of the people.—[*Cheers from the Opposition.*]—Ay, Sir, it does give me an opportunity of knowing the real feelings of the people, and, representing as I do, one of the largest, wealthiest, and most intelligent communities in the empire, I can state, that I have found the bold and open avowal of my intention to support the Government in their claim for a fair trial, of my attachment to the Established Church, and of my anxiety for judicious and wholesome reforms in that Church, for the purpose of extending her spiritual influence, has been my surest passport to their confidence and esteem. Judging, therefore, from what I have personally witnessed, and from all the organs of public opinion, I am satisfied, if the present Government proceed in the measures which are indicated in his Majesty's Speech, they will secure the confidence and affection of the people. For myself, having undertaken this task, in the full assurance that the Government would go on in a spirit of wholesome, temperate, constitutional, not of speculative, Reform, I feel that the Speech which his Majesty has this day delivered from the Throne fully justifies me in the confidence which I felt. I feel that the reforms which are intimated in that Speech give the King's Ministers a claim to the support, not only of their own immediate friends, but even of many Members of the opposite side of the House. I do not see in what way those Gentlemen who formed a part of Earl Grey's Administration, or the Gentlemen who supported that Administration, can object to give a fair trial to those whose principles of prospective Reform are so much akin to Lord Grey's. I do not know what reforms they themselves (I am not speaking of Lord Melbourne's Administration, but of Lord Grey's, to which the public feeling was attached—to Lord Melbourne's it was not)—I do not know what reforms the supporters of Earl Grey's Administration could introduce which are not to be proposed by the present Government. I think I may fairly appeal to those Gentlemen, whether reforms of the description that I have alluded to, are not such reforms as Earl Grey would himself propose? Indeed, I cannot help asking the Friends of Earl Grey's Administration whom I see opposite, whether they feel very comfortable in the company of the Reformers by whom they are now surrounded? I allude not, of course, to the personal character of any gentleman—I speak purely of his political principles, but I ask again whether they feel very comfortable in the midst of those by whom they are now surrounded? I have heard the word "apostacy" applied to those who promise the measures of Reform to which I have alluded in the course of my observations, and which are announced in the King's Speech; but would there be no danger of apostacy in a combination of those Gentlemen who oppose all further changes in our Parliamentary system, with those who are prepared to carry change after change to an extent to which no one has pretended to affix a limit? What is the grand public principle that can induce them to form a confederacy of which it is impossible to perceive the guiding or leading principle? Is it possible that those who regarded the Reform Bill as a final measure of Parliamentary Reform, can unite with those who are for the Vote by Ballot, Universal Suffrage, and short Parliaments? Is it possible that those who are for leaving the privileges of the Lords untouched, can unite with those who are for converting the House of Lords into an elective chamber, if they allow it to exist at all? Is it possible that those who with Earl Grey maintained the importance, the vital importance, of the Established Church, can unite with those who regard the Established Church as a curse, and who avow, that they will never rest till that Church is destroyed? Can those who are so strongly attached to the integrity of the empire, long unite in safety with those who avowedly at this moment suspend the agitation of its dismemberment, only because they think that suspension for a short period will ultimately advance it the more. I shall be curious to know what is the common principle, what is the great overwhelming public principle, that can induce these parties to unite. Whatever that principle may be, I am not sure that it will induce them—certainly there are some whom it will not induce—to unite in this one common confederacy against his Majesty's present Ministers. This is not a time for party-struggles. Party connexions are good and useful at certain periods; but there are times when every man is bound to think for himself, to look around him, and to see the responsibility which rests upon his own head. If, in a great public crisis like the present, every Member of this House will discard all party considerations, and will act only from the conviction of what he believes to be best for the welfare and advantage of the kingdom, I shall have a strong and confident expectation that at least a great proportion of the respectable Gentlemen who supported Lord Grey's Administration will not unite in the opposition to the present. I do not think they will find it consistent with their character, their respectability, or their own feelings of what is right, to lend themselves to such a confederacy. I will not intrude further upon the patience of the House. If, in the course of the observations I have made, I have in any case expressed myself too strongly, I assure the House it has arisen from any cause rather than from intentional disrespect to any one. I have mixed largely with individuals of every party, and have a friendly feeling towards many of them; but at the same time a sense of public duty would not allow me to express my opinions less fully and decidedly than I have. I conclude, Sir, by moving, "That a humble address be presented to his Majesty."

Mr. *Bramston* rose to second the Address. If, he said, his noble Friend entered upon the subject then before the House with a feeling of embarrassment—if he found it necessary to appeal to the indulgence of the House during the observations which he had just concluded, how much greater must be his embarrassment—how much greater his claim to the indulgence of that House, in thus offering himself for the first time, and a few weeks after his election, to their consideration? Those who heard him might be assured that it was with no common feeling of embarrassment that he now felt himself called upon to address them. He was, however, so far relieved, inasmuch as the observations which he should feel it his duty to submit to their attention would be very brief, because his noble Friend, the Member for Liverpool, had already directed their attention to almost every topic which it would be necessary to bring under their consideration. In the Address which it was proposed should be presented to his Majesty, in reply to his most gracious Speech, there were many topics upon which he felt assured both sides of the House would cordially agree. He was sure all would agree in thanking his Majesty most cordially for the promptitude with which he met the difficulties of both Houses of Parliament arising from their accustomed places of meeting having been destroyed by the late calamitous fire. They must, likewise, all feel gratified at meeting so soon after their election, not only because that House, but also because the public at large were interested in knowing why his Majesty had called to his Councils different men from those who directed them when Parliament was last assembled. Another subject on which he thought that they would all agree, was in the satisfaction expressed at the intelligence which had been received from the Colonies of the probability, after the heavy pecuniary sacrifice of this nation, of a successful issue to that measure which religion and pure benevolence had suggested for the abolition of slavery. He was also sure that they would all agree in rejoicing at the likelihood of the continuance of the blessings of peace, and at learning that the accounts which his Majesty had received from his allies, and, indeed, from all Foreign Powers, led him to believe that he had no occasion to fear any interruption of the general tranquillity. That peace was at all times desirable, and that it was most especially desirable now, was a point which he thought no man would dispute. The attention of the House had also been called to the strict economy which Ministers were prepared to enforce. He was sure that the House would rejoice to hear that the estimates for the present year were upon a lower scale than they had ever been since the termination of the war. He would next refer to that paragraph in the King's Speech which relates to the agricultural interest, and the depression under which it labours. If, but a short time since—namely, in August, 1833, the agricultural interest was considered at so low an ebb that it was deemed necessary to appoint a Committee to inquire into the causes of its depression, and into the best mode of relieving it; and if, at that time, the average price of wheat was 54*s.* per quarter; if, in 1834, the King alluded in the Speech from the Throne to the continuance of that distress, and expressed his sympathy with that suffering interest; and if, at that time, the average price of wheat was 42*s.* a-quarter, was it possible to say now that its condition was much improved, when the average price of wheat was only 45*s.* a-quarter? This was a subject of great importance; and he trusted that, in conformity with his Majesty's most gracious Speech, a method would be devised for mitigating the pressure of those local charges which bore heavily on the owners and occupiers of land, and for distributing the burden of them equally over other descriptions of property. Among the various measures which came under the consideration of the last Parliament was the state of the tithe question in Ireland. If he did not allude to it more particularly, it was because the question had undergone a long discussion in the last Parliament, and the opinion of the Ministry was well known upon it. He was glad that it was the intention of Government to propose a measure for the commutation of tithe in England and Wales. That was a measure on the expediency of which he was certain that they would all agree. He must also praise the caution of Government in waiting for the report from the Commissioners appointed to inquire into the state of Municipal Corporations. The Church Commission appointed by the present Government, he considered likely to be the parent of many great and salutary reforms. In conclusion, he observed, that if Ministers followed up the principles which they had laid down in the King's Speech—a Speech which he characterized as worthy of a British monarch to make, and of an English Parliament to hear—if they would only determine to foster and protect the agricultural interest, on the prosperity of which the prosperity of the country so much depended, he should consider that he should only be doing his duty to himself and to his constituents in giving them his humble but independent support. He cordially seconded the Address.

The Address having been read from the Chair,

Lord *Morpeth* rose and said—In ordinary times I do not know that there would have been much room for criticism, and, perhaps, still less for positive opposition in the gracious Speech which we have this day heard from the Throne, and which, if it stray into greater length than is ordinarily to be found in similar documents, I think cannot be accused of departing, in any of its material features, from much of their accustomed vagueness. But so far from being ordinary, I conceive the present to be such special circumstances and times, that those at least in whose behalf we are here assembled—I think I can speak for the large bulk of my own constituents—will expect us not to confine ourselves to that formality, and to those courtesies which, at an ordinary period might have been more congenial to our own dispositions; but to express in language, calm, respectful, and not to be misunderstood, the impressions which the present state of affairs excites in our own minds, and to convey them in the accredited and accustomed manner to the foot of a paternal Throne. In venturing, Sir, to give this advice, I am far from saying that his Majesty's gracious Speech, and the Address, which has been ably moved, and seconded by the hon. Member for Essex, and my noble Friend—whom nobody can know without most highly esteeming—do not contain much matter calculated to give high satisfaction to all those who combine with a fixed attachment to the institutions of their country an anxious wish to see them disencumbered and purified of all their remaining imperfections, and abuses. The Speech lays peculiar stress upon the state of the Church Establishment of England. I can assure my noble Friend that I entertain, and shall go along with him in a resolute determination to receive, any suggestions on that most important subject, come from whatever quarter, and from whatever Administration they may, with a sincere and single wish to adapt them to the most real and solemn interests of the establishment of the country and of religion. But I cannot stop here; I cannot dissemble that I think we might reasonably have expected—whether considering the nature of its internal organization, or the circumstances, the more recent circumstances, of its position—some more direct allusion to the bearing which the Church of Ireland has upon the condition of that much-harassed country. I do not mean to say, that I would invite the House into any specific detail or specific plan upon that most arduous and complicated subject; but I think we ought at least to show that it does not wholly escape our recollection. His Majesty has adverted to the Commission which is now sitting upon the state of our corporations; and it is certainly a gratifying thing that these subjects have been adverted to, because I believe the country is most eagerly and most properly intent upon the speedy and effective correction of the abuses that infest them. But I must again add, that I think it would have been desirable on this occasion that beyond the matter-of-fact information that the Commission may soon report, and that that report is to be communicated to us, some hint should have been given of the principle which ought to guide the adjustment of a question so notorious in its general features—that principle being, as I conceive, an adequate superintendence and control on the part of those for whose collective benefit the privileges ought alone to exist. His Majesty has also been graciously pleased to notice the claims of his loyal Protestant dissenting subjects; and in acknowledging this mark of his Majesty's gracious condescension, I own that I think we ought not to let it be inferred that the whole circle of those grievances may be confined to the single article of marriage. My noble Friend charitably suggested that other matters—Church-rates he particularly named—might be contemplated by the Ministerial mind. Those items, however, Sir, do not appear upon the record. Now, Sir, with respect to these and other topics of consideration, and subjects for Reform, while we gratefully acknowledge the notice which we are graciously assured shall be bestowed upon them, I own I think it is difficult to look back upon the events which have occurred since the last Parliament sat in Westminster, without a wish to couple with the assurance of our readiness to enter upon the reformation of abuses, some precise and defined indication, which, referring to the past, that it may throw a light upon the future, will sufficiently mark the mode and the spirit in which we both consider the abuse, and meditate the reformation which may prove, in a word, to the people of this country that though persons whom they believe to be Tories are in place, we are to have nothing like Tories in power. Now, Sir, I do not think that the events themselves to which I have thus cursorily alluded are entitled to dismissal without some slight remark. I have not to remind an audience like this of the nature and order of those events. His Majesty in the exercise of his undoubted prerogative was pleased to dismiss the Government of which Lord Melbourne was at the head. No one admits the lawful exercise of that high prerogative with more entire deference than I do; nor will I be more slow, though perhaps in point of form I may be less correct, in stating my sincere belief, that his Majesty is incapable of exercising it but with the most upright and single-hearted intention to promote the true interests of his people. But, Sir, with an earnest and equal assurance, I ask whether any one within these walls will deny the right of this House to call in judgment, not the inherent and unalienable right of the King of these realms, but this particular exercise of it, so far as to accept, or to reject, the measures or the administration of those servants of the Crown, and therefore servants of the people also, to whom his Majesty has confided the conditional superintendence of the national affairs? My noble friend seemed to wish to infer that one of the new claims put forward on behalf of the Reform Bill is, that it is to lodge with the people the power of deciding who the Ministers of the Crown are to be. Sir, I humbly submit that in this respect the Reform Bill has made no difference whatever; but, whether before or after the passing of the Reform Bill the power must reside with this House—and through this House, with the people of this country—of deciding who the Ministers of the Crown are to be. With the causes of the dismissal of the late Government it is yet reserved for us to become acquainted, and of course it would be premature to pronounce any opinion upon them. Even a curiosity, much more lively than that which my noble Friend has professed upon the subject, must, I think, have found it very difficult to obtain any gratification. We know, Sir, that the late Administration was one of very recent appointment; we know that it commanded, to an unprecedented degree, even by the admission of its political opponents, the confidence of the late House of Commons; we know that it was in a time of complete tranquillity—of comparative and of growing prosperity—

> "It was not in the battle—no tempest gave
> the shock."

With the causes of that dismissal, then, we hope yet to become acquainted; and with them we may have to discuss where lies the responsibility of its removal. Sure only I am that it does not lie with our constitutional Sovereign. Sir, these causes themselves would, at first sight, appear to have been of a very grave nature indeed, for instead of the usual courtesy of allowing the dismissed occupants of places to retain them until the appointment of their successors, there came that most unusual, and, I must add, most unseemly huddling of offices in the single person of the Duke of Wellington. Of that noble Duke I always must wish to speak with the deference due to his imperishable renown; but, at the same time, with that freedom which his large and extensive superintendence of civil and political matters imperatively requires from the citizens of a free country. Now, I am using no hypocritical pretence of any harm having been done upon this occasion. No! But I ask if this be a precedent—a precedent which is not to be noticed, and may be followed, what harm might not have been done? Owing, apparently, to the admirable regularity and order in which every thing had been left, and of which fact, if I wanted any confirmation, I should refer to the Speech itself, confirming as it does, in every particular, all the acts of the late Government,—the fact of its being clearly before Parliament, that no change is intended to be made in those measures, affords most ample confirmation of the remark I have ventured to make. Owing, therefore, I boldly repeat, to the regularity which I believe prevailed in every department of the State on the dismissal of the late Administration, everything on that occasion did go on smoothly; nothing, indeed, appears to have been changed—

no deviation seems to have been made from their arrangements either at home or abroad. It thus fortunately happened that no harm was done; but let me just inquire if any serious emergency had arisen in any of those multitudinous departments —if in the Foreign Office a case for Continental quarrel or war—if in the Colonies an insurrection of the newly-liberated negroes, according to the sanguine calculations of certain Conservative publications —if at home, in Ireland there had been any spread of those unhappy tithe disputes (and I am not going to use any proper name which might suggest topics of irritation)—if they had been carried on on a wider scale, or had spread over a greater area, I ask what single shoulders could have sufficed for so immense a responsibility? The modern Whigs are often reproached with being unlike their predecessors; but I have reason to believe that there is hardly an old Whig of the Rockingham school whose hair does not stand on end at this unconstitutional concentration of responsibility and power. However, Sir, at last came the right hon. the Chancellor of the Exchequer; and in mentioning that right hon. Baronet, I am the last person to do injustice either to his consummate talents, or to what I believe to be his high and honest aspirations to be of use to his country. My only ground of difference with him is, that from the principles he has maintained through life, and from the associates with whom he is surrounded in office, he has put himself in a situation—I do not say (Heaven forbid that I should be guilty of the absurdity) of eternal exclusion from the public service—for who can answer for the hundred thousand modifications of political circumstances?—but I do say that he seems to me, at the present time, to have put himself at variance with the political inclinations of his countrymen. But, Sir, what we have to deal with are his acts. What was the right hon. Baronet's first overt act? The dissolution of the late Parliament. Sir, I propose that we should respectfully state to his Majesty our disapprobation of that dissolution. What misdemeanours had that Parliament committed? It cherished a spirit of loyal attachment to the Crown —it had exhibited a most inviolate adherence to the maintenance of the public credit—it had enforced economy—it had abolished slavery—true, it had manifested a desire to facilitate the admission of Dissenters into the Universities, and it had shown symptoms of an inclination to accommodate the secular dimensions of the Irish Church to the spiritual exigences of its flocks. But, Sir, that Parliament was dismissed in the middle of the recess, pending no collision with the other House of Parliament, after no hostile vote against any Administration; and while affairs of the greatest moment were still pending, this Parliament, by the enemies of short Parliaments, was thus unceremoniously dismissed and cashiered. Now, have we any precedent for inserting in an address to the Throne an expression of our disapprobation of a preceding dissolution? I find, that when the new Parliament met in the year 1784, the Speech from the Throne conveyed an approbation of the preceding dissolution. This was, naturally enough, objected to by Mr. Fox, and was made the subject of an Amendment; but it was stated, in reply by Mr. Pitt, that, "he was not for purchasing a hollow unanimity by blinking a great constitutional question, and passing over the dissolution of the last Parliament, when it was clearly established that it had given the most entire satisfaction throughout the kingdom." His Majesty's Ministers have not been hardy enough on the present occasion to insert in the Speech from the Throne any intimation that the dissolution of the last Parliament has given the most entire satisfaction throughout the country; but all who draw directly the contrary inference have, at least, as much right to say in 1835, as Mr. Pitt said in 1784, that we are "not for purchasing a hollow unanimity by blinking a great constitutional question, and passing over the dissolution of the late Parliament," when we believe that it gave the contrary of satisfaction throughout the kingdom. In making these remarks upon the points which come fairly and openly before our notice, I have no wish to trespass further upon the time of the House in making comments upon points which are not now fairly developed, still less in allowing myself to be led into any acrimonious reflections on individuals. I had almost omitted to say, that of course concurring in the satisfaction expressed in the Address at the prospect we have before us of a continuance of peace, I also warmly coincide with my noble

Friend in thinking, that it is not the policy of this country to adjust its friendships with other States according to the particular circumstances of their political constitution. The point, however, where I should be tempted to draw the line of difference from the argument of my noble Friend is this:—I fear the superior confidence reposed, or apparently reposed, in his Majesty's present advisers by some Statesmen on the Continent is exhibited by those who, so far from abstaining from, have a constant itch for interfering in the internal affairs of other and freer States. My noble Friend has asked, whether the friends of Lord Grey's Government—of whom I profess myself to have been one of the most steady and sincere—can bear to join in any project which they, in common with my noble Friend, have often reprobated, and still continue to reprobate? I only ask my noble Friend to wait until we have incurred the guilt of desertion from our principles before he brands us with its mark. I do not affect to conceal that I think there are perplexing and embarrassing circumstances in which, turn as we may, we seem to be involved; it is some gratification to me, however, to believe that they are not my own political friends who have mainly involved us in them; and it is a further gratification to feel assured, that even under all the difficulties and exciting scenes through which the people of this country have passed, it has been demonstrated that there is neither hostility nor indifference to any of our really valuable, and venerable institutions, to the constitutional Throne, or the honoured person of our Sovereign; to the maintenance of order, or to the rights of property—or at least, that none such is to be found in any intelligent or prominent class of the community. There is, however, a keen and irresistible demand for the reformation of all abuses, and a proportionate call upon all those who wish to represent the opinion of their constituents, to hold fast to the principles which won their original support; and to re-assure them, that though Parliaments on which they trusted may have been dissolved, and although Administrations, of which upon the whole they approved, may have been dismissed, those principles still live and flourish; that they will not be compromised, that they will be intelligibly laid down, unhesitatingly asserted, and consistently acted upon. It is under this view, Sir, thinking that something is due from us to the late Parliament—something to the late Government—much to the opinions and wishes of our constituents—much to the unchanging interests of justice, fidelity, and honour, that, not eager for the station, I have not declined to come forward on this occasion. I must leave the issue in the hands of the House, merely adding my humble hope that all we plan and all we execute may be so overruled as to promote the real and lasting welfare of the country. I have now, Sir, the honour of proposing an Amendment. It is not my wish to omit any portion of the Address which has been moved by my noble Friend, inasmuch as I believe it pledges us to nothing to which we can conscientiously object; but as I think we wish for some more marked demonstration of opinion, I am desirous to move, that after the words, "To promote the concord and happiness of my subjects," in the last paragraph but two, these words be inserted:—"To assure his Majesty, that his Majesty's faithful Commons acknowledge, with grateful recollection, that the Act for amending the representation of the people were submitted to Parliament with his Majesty's sanction, and carried into a law by his Majesty's assent; that, confidently expecting to derive further advantages from those wise and necessary measures, we trust, that his Majesty's Councils will be directed in a spirit of well-considered and effective Reform; and that the liberal and comprehensive policy which restored to the people the right of choosing their Representatives, and which provided for the emancipation of all persons held in slavery in his Majesty's Colonies and possessions abroad, will, with the same enlarged views, place, without delay, our Municipal Corporations under vigilant popular control, remove all those unfounded grievances of the Protestant Dissenters, and correct those abuses in the Church which impair its efficiency in England, disturb society in Ireland, and lower the character of the establishment in both countries. To represent to his Majesty, that his Majesty's faithful Commons beg leave submissively to add, that they cannot but lament that the progress of these, and other Reforms, has been interrupted and endangered by the unnecessary dissolution of a Parliament earnestly intent upon the vigorous prosecution of measures to which the wishes of the people were most anxiously and justly directed."

Mr. *Bannerman* rose to second the Amendment. After the able and eloquent manner in which the noble Lord had proposed it, he felt some apology was necessary for his intrusion on the patience of the House. He was proud to say, that he represented a large constituency, though not so large a one as the constituency of the noble Lord; he was still prouder that they had returned him to that House free of expense, and that even the expense of the hustings on which he had stood before them had been defrayed; and it gave him still more pride to say, that he was sent to Parliament completely unfettered and unpledged on any of those questions or subjects that were likely to come under discussion. Regretting, as he did, the late dissolution, he could not help saying, that so far as he was personally concerned, he should not care if another took place tomorrow, unless, indeed, as it might tend to endanger the peace, prosperity, and happiness of the country. He trusted, therefore, that he should not be accused of any factious motives in supporting the Amendment of the noble Lord, and giving any opposition he might think it necessary to offer to the present Government. As a Scotch Representative he would say, and in so doing he felt certain he should be fully borne out by a large majority of his hon. Colleagues in that House—that his countrymen felt that they owed a deep debt of gratitude to those Englishmen and Irishmen who had so nobly fought the battle of Reform, and given to Scotland its present political existence. They would ill repay that debt of gratitude if they did not cordially form an alliance—unholy as the noble Lord opposite might consider it—for the purpose of endeavouring to procure those Reforms which he (Mr. Bannerman) was quite sure the late Government would have granted, and which he was pretty certain the present Government had no intention whatever of conceding. There were, he knew, some Members on that (the Opposition) side of the House, who might consider that the Amendment savoured rather too much of a milk-and-water nature. When it was put into his (Mr. Bannerman's) hands a short time ago, he certainly was under a similar impression; a little reflection, however, convinced him that he was in the wrong, for he considered it the duty of the Representatives of the people to banish all political prejudices, and to consult only the benefit and welfare of their common country. He felt bound to say that he could repose no constitutional confidence in his Majesty's present Ministers, and he hoped they would excuse him for saying that he should be highly gratified to see them dismissed as unceremoniously as their predecessors in office had been. If they would honestly and fairly follow up and carry into effect those Reforms which the country expected, and which the country would have, he would withdraw his Opposition; for he considered it of little importance who his Majesty's Ministers were, so long as they acted in accordance with the just and legitimate wishes of the people. There was one point to which, as a Scotch Representative, he felt peculiarly desirous to call the attention of the House—he meant Municipal Reform. He had had opportunities of observing the working of the system in Scotland, and he hoped and trusted the right hon. Baronet (Sir Robert Peel) would inform the House during the course of the debate whether he was inclined to vest the election of English corporators in 10*l.* householders in the same way as in Scotland. He could assure the right hon. Baronet, that nothing short of this alteration would satisfy the country.

The Amendment having been read,

Mr. *Pemberton* had some observations to address to the House, which he would bring within as narrow a compass as possible. On the other side of the House, there was no Gentleman who more admired the eloquence of the noble Mover of the Amendment than he did. But he admired still more the temper displayed by the noble Lord—he would endeavour to imitate it; for he was desirous, in discussing the present question, to avoid all irritating topics, all annoying observations, which could tend to exasperate animosities, and widen differences between public men, which were already too great. He was sure that Gentlemen around him, upon both sides, must feel that the real purpose of the Amendment was not to express to the Crown or to the public any particular opinions; but to express a preference of the late to the present Administration. Knowing that that was the real import of the question, he should endeavour shortly to explain why he preferred the present to the late Administration, and, should, therefore, vote for the Address rather than the Amendment. With respect to the Amendment itself, however, he would say, that if, as had been alleged, the Address was vague and uncertain, that was a defect which the Amendment did not tend much to remedy. Considering the quarter whence that Amendment emanated, and the individuals by whom it was supported, he could not but think that the topics it omitted to notice were more important than those on which it expatiated. There were individuals on the other side of the House who were known to entertain opinions with respect to the maintenance or dissolution of the Union at variance with those of the great majority of the House. He should have thought, then, that those who proposed and supported the Amendment would have endeavoured to guard themselves against the possibility of being supposed to concur in the opinions entertained by those who aided and assisted them on the present occasion. The noble Lord (Lord Morpeth) had told them, that he was quite at a loss to imagine the causes which had led to the dissolution of the late Government, and he entirely concurred in the hope expressed by that noble Lord, that all the circumstances which led to their dismissal would sooner or later be made known. He confessed, however—knowing only what was known to the public generally—that he did not feel that utter ignorance of those causes which the noble Lord had avowed. Looking to the constitution of that Ministry, and to the sentiments known to be entertained by its members, he (Mr. Pemberton) could not help thinking, that that Ministry fell from internal disunion and weakness. He was very far from imputing it to any suicidal intention; but when he remembered the great and important topics on which a notorious difference of opinion existed among its members—when he remembered that on the important questions of the appropriation of Church property in Ireland, and the extension of the principles of the Reform Bill, by shortening the duration of Parliaments, and introducing the Vote by Ballot, they differed; that it was in the power of any individual among them to bring, and that one of their own supporters had brought, the most important of those very questions to the test, and thus occasioned the dissolution of Lord Grey's Government; it seemed to him impossible to doubt that there was contained in that Cabinet a principle of dissolution, which sooner or later must have led to its breaking up. Independently of these considerations, when he recollected the severe losses Lord Grey's Government had sustained, and that Lord Althorp's removal to the House of Lords occasioned a vacancy in two most important offices—Chancellor of the Exchequer and leader of the House—he could not much wonder that at the end—when there were not more than two or three of the original Members of Lord Grey's Government remaining—the Cabinet should have fallen to pieces of itself. Of the Gentlemen who had succeeded to that Cabinet he would wish to speak with all possible respect, but he could not do so great a violence to his own feelings as to say, that he thought they possessed sufficient weight either with the House or the country to enable them to carry on the Government without assistance. He could not see from what quarter that assistance could have been sought, except from one where it could be obtained only by endangering, in his opinion, at least, the most valuable institutions of the country, and the integrity of the empire. With respect to the formation of the new Government, the noble Lord (Lord Morpeth) had complained of the unconstitutional conduct of the Duke of Wellington in assuming all the offices of the State, and from the cheers with which the remark was received, he (Mr. Pemberton) presumed it was in accordance with the opinion of a large portion of the House. It seemed to him, that before they came to any conclusion on that point, they ought, in fairness, to take into consideration the peculiar circumstances in which his Grace was placed. There was one among many of those circumstances connected with the dismissal of the late Ministry, and the formation of the present, of which he thought some explanation was imperiously demanded. He believed that when the dismissal of the late Administration took place, there were not a few persons both in Parliament and the country, who would have been well satisfied to see the more moderate Members of that Government associated with some of their former Colleagues, and supported by the conservative party, so that the movement might have been arrested, and a liberal, but, at the same time, Conservative Government, constituted. But was any opportunity allowed by the late Government for effecting that association of parties? Had Gentlemen forgotten the mode in which, after that dismissal had taken place, it was announced to the public. He should have thought, after Lord Melbourne had received his dismissal, that a feeling of delicacy towards his Sovereign, and a consideration of what was due to himself, to his colleagues, and to his country, would have required that some interval should have been allowed during which the King might have had an opportunity of consulting with the Duke of Wellington; and he himself, might have had an equal opportunity of advising with his colleagues as to the course which under the circumstances was proper to be pursued; and that some opportunity might have been afforded for providing for the public service, so as to have prevented that event of which the noble Mover of the Amendment had so loudly complained, and which he had been pleased to designate as an unconstitutional assumption of all the offices in the State by the Duke of Wellington. But if Gentlemen would refer to the public records of that time, they would find that it was on Friday night, the 14th of November last, that Lord Melbourne arrived in town after having received his dismissal, and that he bore with him a summons to the Duke of Wellington to attend his Majesty, and which summons was not received by the noble Duke at Strathfieldsay till Saturday morning, Lord Melbourne having summoned a Cabinet Council for twelve o'clock on that day, for the purpose, he presumed, to receive from the noble Viscount a communication of the dismissal of his Administration. Now, what took place in the interval? On Saturday morning before the King's summons could have reached the Duke, before the result of Lord Melbourne's interview with the King could be officially communicated to his colleagues, a manifesto was issued through the public papers, not only announcing to the public the dismissal of Ministers, but accompanying that announcement with two statements which were notoriously untrue. Both those statements were not only untrue, but extremely mischievous. One of those statements was, that the dismissal of Lord Melbourne's Administration was owing to the Queen,—this was stated in so many words. The other statement was equally untrue, and in its tendency still more mischievous—namely, that the Duke of Wellington had already been to the King, clearly inferring that the Duke was a party to that dismissal. Now, the author of these statements must have been a Cabinet Minister, for to none others was the dismissal of the late Government at that time known, and being so, he must have known, that so far from the Duke of Wellington having been to the King, he had not even received the summons to attend his Majesty. After this, I think (continued the hon. and learned Gentleman), that it is not doing any great injustice to the individual who communicated the dismissal of Lord Mebourne's Ministry to the public, to attribute to him the comments which accompanied that announcement. Whoever chooses to refer to the columns of the *Morning Chronicle* of that morning, will find that there was not merely this announcement, accompanied by the two untrue statements which I have mentioned, but there was a long and elaborate article designed and calculated to inflame in the highest degree the feelings of the people and to embarrass the King in the formation of a Government. Every member of the late Government was denounced as a traitor who should join a comprehensive Administration, and an attempt was made by public clamour to force back the late Ministers into the Cabinet before the King could provide any successors. Now, it was under these circumstances that the Duke of Wellington was called upon to advise his Majesty. I rejoice in believing, from what I have since heard that this most indecent and improper proceeding was not adopted with the concurrence of Viscount Melbourne's Cabinet, but that, on the contrary, many Members of that Cabinet were actually ignorant of the fact of their dismissal till they read the statement in the newspapers. But, Sir, was it possible for the King to suppose that any individual Member of the Cabinet, especially of a Cabinet so unanimous, could have ventured upon such a step without the concurrence of his colleagues. In such circumstances, when his Majesty found that his late Ministers were, at least to all appearance, appealing to the people against his decision, was he alone to be prevented from making an appeal to the people in his turn, and desiring to know from them, whether they wished that he should submit to this dictation? He sincerely believed that there was not one among the hon. Gentlemen whom he saw before him, of any shade or colour of opinion that would, if called upon under such circumstances, have given any other advice to the King than that which the Duke of Wellington had given; but of all men in England, was the Duke of Wellington bound to the country, by the strong ties of so many favours received from it, bound to the Crown by what, to a mind like his are the still stronger ties of so many and such signal services performed to it; was the Duke of Wellington to give that counsel to the King which the meanest man amongst them would have blushed to offer? He judged otherwise of his duty. He felt that the Prime Minister of a Conservative Government should be in the House of Commons when the great battle was to be fought. The absence of the only man capable of forming such a Government from England at the time prevented the immediate formation of such a Government. The conduct of the late Ministers made it impossible to leave the Seals of office in their hands. Under such circumstances, the Duke of Wellington did as the noble Lord (Lord Morpeth) had stated, adopt an unprecedented course. He undertook and accomplished a task which, like most of his exploits, was without precedent or parallel in history. He did take upon himself all the offices of the State; he did take upon himself all the risk and all the labour, all the odium and all the responsibility,—everything but the patronage and the emoluments of office. He did accept the supreme power in the State; but for what purpose? Why, to hold it as a sacred deposit only until he could place it into those hands in which it was now intrusted. The noble Duke laid down that power at the earliest possible period; he laid it down as the noble Lord (Lord Morpeth) had acknowledged, without a single complaint from a single quarter, of any interest, public or private, having suffered neglect or detriment while he held it. He laid it down without having, in a single instance, great or small, employed it to the advantage of himself, or to any one depending upon him. He laid it down, not as other men before him had done, for the purpose of retiring from the fatigues of public life, but in order that he might tender himself to the service of the country in any situation in which his services could be useful, and he had, accordingly, accepted a subordinate office in the very Government which he himself had formed. And this was the despot—the usurper—the Mayor of the Palace, whom newspaper editors and mob-orators reviled, and insulted day after day, and week after week, as if they had forgotten to whom under Heaven it was owing that they had a free country left to agitate, or a free press to abuse. When he looked to the composition of the present Administration, he was ready to admit that several names were absent from the list which he would gladly have seen there. No man who respected integrity and honour in public and private life; no man who respected the lofty in station, and the still loftier in abilities; no man who was desirous of seeing in a Minister a regard for popular rights, and a love for liberal institutions, united with a firm attachment to the institutions of the country in Church and State, the old hereditary loyalty of the house of Derby, could fail to regret the absence of such a name from the present Administration, or could fail to wish that the distinguished individual who bore that name had felt himself at liberty to discharge that debt of service to his country, which the possession of such qualifications imposed upon him. But no complaint on that score could be cast upon his right hon. Friend (the Chancellor of the Exchequer.) There could be no impressment of men into the civil service of the State. It was notorious that the noble Lord was invited to join the Government, and it had never been suggested that there was anything either in the terms or mode in which that invitation was made, that was inconsistent with the high character of the individual who made, or the individual who refused it. He could not, however, but believe, that, in the present state of affairs, the Government of this country must rest for support more upon the character of its measures, than upon the Parliamentary talents of its Members; and he must be more an ardent than a wise lover of change who would be desirous of greater measures of reform than those which were held out to the country in his Majesty's gracious Speech. They would satisfy all who meant by Reform the practical remedy of acknowledged abuses, and the practical improvement of erecting institutions, and who did not use the word as the war-cry of a party, or as a pick-lock to the Cabinet. It had been said, that it was impossible for any Administration, the Members of which were opposed to the Reform Bill, to desire or to effect good Government. He confessed himself then at a loss to understand this mode of reasoning. Surely the Reform Bill was desired and carried only as a means of good Government. He could not understand why Gentlemen, who differed as to the means, should not agree as to the end. There was no mystery in the Reform Bill, whch required the skill of the original projectors to write it, though Gentlemen argued as if it were a machine, to the use of which the inventors had a sort of patent right of monopoly. If there were any reason to suppose that the Reform Bill was in danger under the present Administration, one might well understand the jealousy that was felt upon the subject. But if there were any real danger to that great measure, it was notorious that the danger arose not from those who, having once opposed it, were contented, now that it was law, to adhere by it, but from those who, having once been its warmest friends, and having once insisted on the Bill, the whole Bill, and nothing but the Bill, now insisted upon anything but the Bill; and agitated questions merely speculative, the tendency of which, if obtained, would possibly be the very reverse of what was expected from them—he alluded to the Vote by Ballot, Triennial Parliaments, Household Suffrage, and he knew not how many other projects. Independently of the objection which he had stated to the argument, that none but its originators should carry out the Reform Bill, he thought that the present Administration possessed some advantages for carrying the Bill into effect beyond their predecessors. He was aware that there were some who thought it not an advantage, not a recommendation, but directly the reverse, that the present Government possessed in a greater degree than the last the confidence of the other branch of the Legislature. He knew that there were many who would consider it the strongest recommendation of any measure that it should produce that collision which should end in the destruction of that branch. He would only add, that it was his most earnest wish, whoever was Minister, that we should at least have a permanent and settled Administration; a Government which would maintain undissolved and indissoluble the union of the empire; a Government which would maintain unimpaired the full enjoyment of all the constitutional privileges of King, Lords, and Commons; a Government which, while it carried on improvement with a firm and steady hand through the various Establishments, Civil and Ecclesiastical, in the country, would at the same time maintain order, and enforce the authority of the laws, without which order could not exist, nor could there be encouragement to industry or protection to prosperity. Strong as his own predilections were in favour of the right hon. Baronet, yet he could declare with great sincerity, that he would gladly give those predilections to the winds if he believed that, from any other quarter, an Administration could be formed which would secure the attainment of those important objects with greater efficiency. But feeling as he did, that the dissolution of the present Administration would be the signal for discord among the various elements composing the Opposition; fearing that such a change would only be the first of a series of changes, which would in all probability lead to confusion, he should cheerfully give his vote in favour of the original Address, because he believed that he should thereby give stability to the Administration, and inspire confidence in it throughout the country.

Mr. *Ewart* most cordially agreed with the hon. and learned Gentleman who had just addressed the House, that it was impossible for any Government to continue long in power that would not conduct the public affairs in accordance with the principles of Reform; and he most sincerely united with him in thinking that the Government of this country must in future be open to men of all parties. But while he made this avowal, he most strenuously entered his declaration against the doctrine, that the furtherance and promotion of the great measure of Reform were to be intrusted to those very persons who, a few short months ago, were its most violent opponents. Those who should consider this as a sound and wholesome distrust, would stand vindicated with their constituents and the country for withholding their confidence from men who so recently declared hostility to that Bill which they now seemed disposed to assume as the great charter of English liberty. He was much astonished that the hon. and learned Gentleman, himself a lawyer, should have so manifestly violated one doctrine of the British law, by having presumed a man to be guilty before he was tried. The hon. and learned Gentleman made that presumption against the Melbourne Administration. He said that it contained elements of difference, and that it was on that ground just and right to dissolve it. The hon. and learned Gentleman had also alluded to differences of opinion existing on the Opposition side of the House. But such differences were inseparable from all opposition; nor did he think that the present Ministry were the most harmonious Cabinet that ever existed, although that seemed to be a *sine qua non* with the hon. and learned Gentleman in the construction of an Opposition; for were not some of the Members of the present Cabinet formerly among the advocates of Ecclesiastical Reform, so far as the Church of Ireland was concerned; and so far, also, as the extension of political privileges to the Catholics of Ireland; while there were others among them as strongly opposed to those measures? The hon. and learned Gentleman, in imitation of his (Mr. Ewart's) noble colleague, (Lord Sandon) had thrown out certain expressions, by way of decoy to some of the Members of Earl Grey's Administration. He trusted that those noble Lords and right hon. Gentlemen would not listen to the seducing language of his noble friend and colleague, nor to that of the hon. and learned Gentleman; but that they would turn a deaf ear to their voices, charm they never so discreetly. They knew them too well already:

> "Sirenum voces et Circes pocula nôsti."

They would at once decline the magic philtre with which his noble Friend and the hon. and learned Gentleman had endeavoured to entrap their senses. His noble colleague had stated, that the people were not to decide whom the Ministers of this country were to be. Now, he would appeal to the pages of the most elementary writers on the British Constitution, to Blackstone or Hallam, to say whether the ultimate decision of that question did, or did not, reside in the discretion of the people? Yet this declaration of the noble Lord was at variance with another statement which he made—for the noble Lord asserted, that the prerogative of the King was only given for the good of the people. It had been said by his noble friend, that Lord Grey's Administration was opposed to all amendment of the Reform Bill. But it was utterly impossible to suppose that they would refuse such Amendments as would give greater consistency to its spirit. Such a supposition would contradict every day's experience even in the private Acts of this House; for it was known that in subsequent Sessions, other Bills were constantly introduced to alter and amend private Acts for the purpose of giving them their genuine and original application. It had been said, that it was impossible that the House could determine on Municipal Reform before the report of the Commissioners had been received. But the Ministers might at least have stated the principles of that Reform. The right hon. Baronet might have so far raised the veil of mystery, as to have told the House that he would give Municipal Reform on the principles of representation and of publicity, without which it was impossible that any Reform could subsist. It had also been stated, that the present Administration was entitled to confidence because it had adopted Earl Grey's measures for the relief of the Dissenters; that was a most unfortunate title to the confidence of the House; for if any one thing did a more decided injury to Earl Grey's Government than another, it was because the Bills brought in relating to the Dissenters were not adequate to effect their objects; for this irresistible reason—that they were not just. He lamented that his noble Colleague should have been reduced to the necessity of seeking for such an apology for the Speech from the Throne as he did. He stated, that many things were omitted which he had no doubt had been intended to be introduced, and that there was a kind of political *elleipsis* on this occasion which the House were bound to supply. But after the most favourable construction he (Mr. Ewart) could put upon the Speech, he thought the House could not extend to it so unusually charitable an interpretation. The right hon. Baronet, the Chancellor of the Exchequer) must be ultimately responsible for all that had been omitted. He would farther state, that in the dismissal of

Lord Melbourne's Ministry, and in the dissolution of the late Parliament, the right hon. Baronet had not, in his opinion, acted as a real friend to Monarchy. Such a course was calculated to call into action those elements of discord and agitation which were injurious to the Crown, and ought not to be sanctioned by any one who wished well to the established institutions of this country. His (Mr. Ewart's) noble colleague had stated, that opinions such as those which he had this evening uttered had been approved of by his constituents; at least that the result of their votes had been much in his favour. The noble Lord had unquestionably a majority; but it was only a majority of votes, not of public voices.

Mr. *Richards** said, he must be reluctant to occupy the time of the House, when, to other considerations, he superadded the consciousness he felt that, though a sincere Reformer, he, on this occasion, differed from many of his constituents. He, however, claimed the indulgence of the House whilst he stated the grounds upon which he should vote for the Address. He did not mean to say, however, that he differed widely in opinion from the noble Lord who had proposed the Amendment. There were many parts of the Amendment which he would cordially support. Really, amongst many of his hon. friends near him there seemed to have arrived a sort of political millenium. He begged to say that circumstances altered cases. It certainly appeared to him that the political millenium had arrived—that the time had come when the lion and the lamb were lying down by each other. The question, which it appeared to him, best deserved the attention of the House was, what would be the consequence of rejecting the Address proposed? For his own part he could not blind himself to the consequences which must result from such a proceeding, if it were possible, as that of the dismissal of his Majesty's Ministers. Feeling, then, that such dismissal in the present state of parties would be injurious to the country, he came forward, in spite of obloquy and censure, to say why it would be injurious, and why it was, he would support the Address. He had said, that circumstances altered cases, and though the expression of this sentiment excited a smile on the part of hon. Gentlemen near him, he could not help recollecting that many of them had, on previous occasions, been opposed to each other in political hostility. He did not mean to censure them for now going on in harmonious concord, but he did mean to say, that he was attached to no party but that which might best conduce to the safety and happiness of the country. In respect to his Majesty's Ministers, no man would say, that they were not men of integrity; no man could impugn their honour; and he would say, that no man, looking to the altered circumstances of the case, would forget the fact that there was a tendency in men always to look to their own individual interests. Did hon. Gentlemen mean to say, that they did not take an enlightened view of the matter? They could not mean this. Then, he claimed for his Majesty's Ministers the consideration that, being actuated by a view to their own interests, they would promote measures of Reform. Before the Reform Bill was passed into a law, it was manifestly the interest of the King's Ministers of the day, whether Whig or Tory, to consult the holders of boroughs, whereas now they must consult the opinions of the constituencies; and he did really believe that hon. Gentlemen on the other side would no longer take a narrow view in reference to their own interests, but would look to the public interest in the measures which they would bring forward. What he meant to establish was, that they would be obliged to maintain the great public interests, and no Ministry could do otherwise, except, indeed, a Whig Ministry, who, in the manufacturing of the Reform Bill, gave the preponderance of power to their own friends. No party except a Whig could be insensible to the feelings, the views, and the wishes of the majority of the House. The Whig party, indeed, they had seen dared not (he used the term respectfully) look at the feelings and wishes of the country, and they who sat upon the Opposition benches had alienated from them the opinions of the House and of the country. They had, indeed, succeeded in raising that sympathy which mankind feel for each other under certain circumstances. It was certain that they had brought upon themselves the dislike of the people. What were they to expect from his Majesty's Ministers, placed in the circumstances in which they were? He addressed himself to real Reformers

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* See Appendix.

—not pseudo Reformers,—who talked of Reform, but who, with a sort of Janus face, turned first on one side and then on the other. That party who had talked against Reform, now spoke in favour of all Reforms, and made the word a trading article. He would ask, whether many of their measures which had been introduced had not been met by opposition from the Whigs? Were not the measures of men who were sincere in the cause thwarted? He would ask the right hon. Gentleman, the Member for Lambeth, (Mr. Tennyson,) what had become of his Motion for shortening the duration of Parliaments? He would ask the hon. Member for London, in what way his Motion for the Vote by Ballot had been met? Again, he would ask, how the Member for Southwark had been received when he brought forward his Motion for an inquiry into the Pension List? Were there not amongst hon. Members on the Opposition side of the House, many who were now so loud in their protestations, who, upon the occasion to which he referred, opposed those Motions most strenuously? True, they had now joined the ranks of the Member for Southwark; but perhaps it was done from a desire to occupy the places of the Reformers. Looking to the altered circumstances of the case, he did not place much confidence in the Whigs, as he believed the same results would arise if they were again placed in power. He referred to the talents and integrity which characterised the right hon. Baronet, and observed, that, whatever faults had been ascribed to the Tories, they had never shown a double face. He would ask, whether it might not be expected, that having the Aristocracy with him, but not the House of Commons to such a degree as his predecessors had, the right hon. Gentleman would not find it his interest to conciliate the favour of the Reformers of that House, and thus enable himself to carry out all those measures of Reform which were necessary? At least that was his view, and on this account he would rather the present persons should remain in office as his Majesty's Ministers; and he would much rather have the Whigs to act in opposition. That seemed their proper place. It was in human nature to be actuated by views of its own interest—men must look to their interest, and it must be the interest of the Government to grant every safe and practicable Reform. If a Whig party should come into power again, they would be weak with the Crown and with the constituency; and would, therefore, be found currying favour with the Aristocracy, and bearding the House of Commons. He would ask the hon. and learned Member for Dublin, whether he had not called the measures of the Whigs "wicked and bloody measures?"—and if the hon. and learned Member had so called the measures of the Whigs, was it possible, he would further ask, to forget such language? Had he not heard the hon. Member for Middlesex say, that he would even rather see those who now formed the Government in power? What motive could have induced him to say this, but the consciousness that the Whigs were not acting consistently with the views of the people, and that the right hon. Baronet (Sir Robert Peel) would be consistent in his measures, and give such as were safe and serviceable; not at one time talking of Reformers in the highest terms, and then denouncing them as Revolutionists. He would wish to ask what must be the consequence of rejecting the Address and adopting the Amendment? He took it for granted that they could expect nothing else than that his Majesty's Government would immediately give in their resignations. Hon. Gentlemen seemed to applaud this sentiment; but he would beg to ask, of what materials were they to form a better Administration? Would they get an unmixed Whig Government? He had known what that was, and he knew that it had lost the confidence of the country. He would ask whether they were to have a union of Whigs with those who were denominated Radicals? He could imagine nothing more disorderly. What could it be compared to but chaos?

> Frigida pugnabant calidis, humentia siccis,
> Mollia cum duris, sine pondere habentia pondus.

And who was to be the leader of such a party?—But such a person could only rule for a moment. There would be a constant clashing where a good object was to be effected, although they were in harmonious concord on this occasion. His conscientious conviction was, that the dismissal of the present Ministry would entail a signal calamity upon the country, and he should not think himself worthy of a seat in that House if he did not state this broadly. He had been a Reformer for twenty-five years, and because he would not agree to an attempt to turn out the Ministry for party purposes, he was not to be branded with being an opponent of Reform. He wished for Reform, but such Reform as should promote the happiness of the country, and not a revolution. He wished not to compromise the safety of life, and the security of property. As far, however, as all Reforms went which were necessary to the well-being and happiness of the country, he yielded to no individual.

Mr. *Grote* said, that he, like the hon. Gentleman who had just sat down, ever was a sincere Reformer, but his Reform principles conducted him to very different conclusions from those arrived at by the hon. Member, and inspired him with different remarks from those which he had made. He could not consent, Reformer as he was, to look for a Ministry in the ranks of those who were and ever had been much more opposed to Reform than any other party of their day. He could not agree with the hon. Gentleman, that carrying the Amendment would compel the removal of the present Ministers. But having often expressed regret at the dismissal of Lord Melbourne's Administration, and having throughout a large constituency, met with an uniformity of sympathy with that feeling, he could not refrain from expressing it in this House, and from adding (without meaning any discourtesy), that if his vote would have the effect of removing the present Government, he should consider it an additional reason for giving it. The hon. Member for Knaresborough had commented with some severity on the conduct of Lord Grey's Government in regard to the Motion made by himself (Mr. Grote), as well as in regard to measures brought forward by other hon. Members. Whatever might be said as to the slowness of the Reforms made by Lord Grey's Administration, against that of Lord Melbourne, nothing could be said. For how much or how little good might be contemplated by Lord Melbourne's Administration could never have been known, since they had been denied that fair trial for which the advocates of the present Government were now so clamorous. They had the evidence on all sides of the great political excitement which late events had created; and he thought it would not be fair to the country if no notice were taken of the events which then brought them together. It would not be fair if they did not allay the excitement by assuring the country that the cause of Reform should not suffer by the late changes in his Majesty's Councils. The Amendment went to this. It complained that the Melbourne Administration, which had the confidence of the country and contemplated several Reforms, had been dismissed, and that, therefore, the country was likely to be disappointed of those improvements which were so ardently desired. The second reformed Parliament should certainly, and he hoped would, go at least as far in its desire for Reform as the first reformed Parliament. The Speech delivered to-day, if it had come from a Ministry in which he (Mr. Grote) had the fullest confidence, would not give him satisfaction; but coming as it did from a Ministry in which he had no confidence at all, was still more objectionable. Its defects really needed to be supplied by an Amendment at least as full and as strong as that proposed by the noble Lord, and he had no hesitation in saying, that he himself should be inclined to make the Amendment fuller and stronger. He did not know what the hon. Member for Knaresborough meant by saying, that he was sure the present Ministers would follow up Reform, but he knew that all their past acts and declarations had been quite contrary to such an idea; and these were acts and declarations not here or there, not on one particular question or another, but apparent in all they did, and forming a part of their system of management. He could not forget their acts previous to the year 1830, or their feelings and conduct when the Government of the Duke of Wellington was upset by the voice of the people. Had anything happened since which gave evidence of their having become converts to Reform? How could he believe, that they had become Reformers when he remembered their opposition to the Reform Bill, and to every other measure of Reform which was ever mooted? Believing, then, that they would still continue to act on the same principles upon which they had hitherto acted, he could not give them his support upon this occasion; and it would not prevent him giving his vote for the Amendment that he had been told by the hon. Member for Knaresborough, that a defeat upon this question would lead to the resignation of Ministers. He could not but feel surprised at the line of argument pursued by the noble Lord, the Member for Liverpool, in comparing Earl Grey's Administration to the present Government. In his opinion the Government of Lord Grey was never equalled by any Government which preceded it. It was the first Administration which openly approved of and acted upon the principle of Reform. It was the first Government which looked into our institutions for the purpose of improving them, and never touched them but it left them better than it found them. If in the years 1833 and 1834 Lord Grey's Government did not act quite up to the wishes of some Reformers (and he confessed their acts did not always come up to his wishes), still it should be recollected that they were the best Ministers the country had ever had; and, though they did not do everything that could be wished, still they ought not to be lightly rejected, nor ought Reformers because they could not get everything they wished, throw themselves at once into the arms of the worst enemies of Reform. However slow the Reform might be under such a Government, it would be gradually advancing, and would never stand still, and slowness was better than restiveness. The noble Lord who moved the adoption of the Address had been pleased to make several remarks as to the ardent spirits now abroad, and the restless and morbid desire of change which existed among the people. He, for his part, was in daily intercourse with a large portion of the numerous constituency which he had the honour to represent, as well as with other men throughout the country, and he could not discover any such morbid desire for change among the people. But though there was no morbid desire for change, he acknowledged that he found a very strong wish for the improvement of the institutions of the country to exist among them. There was no wish, however, to get rid of the valuable parts of our institutions. There was nothing in the wishes of the people which menaced the stability of our social order. There was nothing inconsistent with the continuance of all parts of the law, and all the restraints which the good government of the community required. Whoever asserted the contrary was guilty of calumny upon the body of the people. In spite of all the taunts thrown out by the hon. Members, who spoke on the other side of the House, as to the want of unanimity among the Members upon this side, hon. Members would find that they had a little more sense and reflection than they obtained credit for, and that they could pursue the stream of Reform peaceably and calmly, without even allowing the impediments they might meet in their course, to force them out of the accustomed channel, or to make them fret and foam with vexation. That it would be the fate of Reformers to meet with obstructions while the present Ministry remained in power, he believed, and to lessen them he would vote in favour of the Amendment. He could not but think that those who introduced the name of the Monarch into a discussion of this nature, and who, when they were asked to defend the dismissal of a Ministry which had the confidence of the Parliament and of the country, answered by a reference to the King's prerogative, acted injudiciously; and, indeed, a measure which required to be defended upon such a ground must be injudicious. Of this, at all events, he was sure, that if all changes in the King's Ministers were to be answered by referring to the prerogative of the King, the prerogative itself would soon come to be questioned. He would, in conclusion, again say, that he would give his vote and cordial support to the Amendment; and if it led to the event predicted by the hon. Member for Knaresborough, it would be one of the most useful Amendments ever made.

Mr. *Milnes Gaskell* expressed his intention of supporting the Address. He felt that this was an occasion upon which no man, however humble his abilities, had a right to shrink from the avowal of his opinion. He felt too, that he should not be doing justice to the constituency which had sent him to that House; and which, though not so numerous, was as independent and respectable as that of the hon. Gentleman who had just sat down (Mr. Grote), any more than to his own feelings and opinions, if he did not protest in their name as well as in his own against the tone and spirit of the opposition to which his Majesty's Ministers had been subjected. He could not believe that this

Amendment would be successful—but if it was—and if it was to be followed by resolutions still more strongly expressive of a want of confidence in the Government, he asked, again and again, to what was all this to come? What did the Gentlemen opposite intend to be its result? Was it to lead to the return to office of the late Administration? If so, by whom would it be supported? Not by the Gentlemen upon his side of the House, and by a very small proportion of the Gentlemen upon that, unless it included names for which the people of England were not yet prepared, and gave its sanction to projects which his noble Friend, the Member for Yorkshire, at least, deemed to be incompatible with the existence of the Monarchy. It had been said, that the late Government was dismissed without that fair trial which the right hon. Baronet (Sir Robert Peel) had demanded. Now he must venture to think that the fact was not so. The late Government had been tried; it had been tried upon the Irish Tithe Bill, and on the Coercion Bill, and in the issue of its Church Commission; and by the very circumstance of its having been so tried, a satisfactory reason had been furnished to the country for its dismissal. The country too would recollect that this very Government, for which a fair trial was so loudly claimed by the Gentlemen opposite, had been pronounced to be totally undeserving of public confidence by many of those who now surrounded them; and if he (Mr. Gaskell) remembered rightly, this impression was so strong upon the mind of one very distinguished Member of the Opposition, the member for Southwark, (Mr. D. W. Harvey), that he expressed his conviction to the House that if any serious misunderstanding should arise among the Members of the late Ministry, the people of England would derive consolation from the same source that the master-tailors did during the strike of their journeymen, for that old women could conduct the Government with as much credit, and as much success. What prospect of unanimity was afforded by such a coalition as this? The Members of the old Government must oppose the Member for London, when he came down with his proposition for the Ballot, and the Member for Lambeth, when he proposed a recurrence to Short Parliaments; but if they did, of whom would their party consist? And if they did not, what became of the recorded opinions of the Whigs, and of their declarations in 1831—that the Reform Bill was to be a final measure, till large docks sprang up in the Hebrides, and large towns in the wilds of Galway? He had no doubt the Government of Lord Grey intended the Reform Bill to be a final measure, but a party had sprung up in that House which they had no power to control, and they must either withhold their support from that party, and follow the manly course which had been pursued by the noble Lord, the Member for North Lancashire (Stanley), or they must depend mainly upon their assistance, and swallow the bitter pill of a virtual coalition. He should vote against this Amendment; in the first place, because he thought it most unjust as well as most unusual to interfere in the ordinary course of the Administration before any proof had been given of its abuse; in the second place, because he would not consent to impair the just prerogatives of the King, by fettering him in the free choice of his confidential advisers; and, in the third place, because he, for one, was prepared to mark the choice which his Majesty had made with his deliberate and unqualified approbation.

Mr. *Poulter* said: Without the slightest personal hostility to the present Administration, and without even a personal acquaintance with the Members of the last, I am at a loss to understand how the carrying into effect just measures of improvement can be safely intrusted to those who have invariably declared themselves the stern and conscientious enemies of Reform. I question not the prerogative of the Crown—I question not the perfect right of the King, though he must confer with his recognized advisers upon public questions to ascertain directly or indirectly the sentiments of others, or even, in an anticipated event, to act accordingly to these sentiments. To refuse this would be to deny to the King of England a right of intercourse which belongs to every private individual in the kingdom. I admit the excellence of intention; I doubt nothing but the political wisdom, of what has taken place. To continue Governments which are acting inconsistently, the individual Members of which are strongly at variance with each other upon great national questions, and to select, as a good opportunity for the most abrupt dismissal of which there is any record, the precise moment when inconsistency had ceased, and when a united Administration was preparing to submit to Parliament and the country the measures which, to them, appeared essential to the improvement of our institutions, does seem to me most extraordinary indeed. I can only judge of the probable benefits to be received by the country from its present Ministry, by recollections of the past; I cannot blot out from my memory the language used since the passing of the Reform Bill, that it was an act which had thrown down the great barrier against the predominance of mere physical force. If this be true, it ought to be repealed. Every Commission which has been issued to procure that specific information which is so necessary to precede important legislative changes, has been stigmatized as unconstitutional and arbitrary, and compared with the acts of despotic Sovereigns, and the jurisdiction of the Star Chamber; and, as such, worthy only to be resisted. Every proposition flowing from the Reform Bill has met with the same reception. The admission of Dissenters to the Universities, which many enlightened and good men warmly supported, was most powerfully resisted here, and defeated elsewhere. The same ultimate fate attended the Bill for the settlement of the tithe question of Ireland upon a fair and equitable basis. This has been our experience; this is the key which is to unlock the prospects of futurity, and from which alone we can form the remotest idea of the probable conduct of the existing Administration. Looking then to past conduct, I must ask, are the Ministers the men most likely to acknowledge that a man whose single vote may be the means of returning two Members to this House, ought to have some concern in the municipal government of the city or town in which he lives. Are these the men who are to see, under the influence of a new light, the vast benefits likely to be conferred on religion by a commutation of tithes—by a just law of pluralities—by a deliberate and wise revision of the whole temporal condition and state of the Archbishops and Bishops of this country—by putting an end to translations, commendams, and the difference between a good and a bad bishopric—and by the application, so long as the present state of religious opinion may continue, of the Ecclesiastical sinecures of Ireland to some great national purpose? But if the present Ministers were to do all that they promise, is it not an irresistible suspicion that everything these great Reformers propose will spring, not from any great principle of Reform, but merely from the possession of office? I ask that question, because, during the two years that I have had the honour of having a seat in Parliament, I have never heard one word from them from which I can draw any such principle. What a glorious opportunity the Bishops had of reforming themselves. Though they threw out the Bill for the admission of Dissenters to the Universities; still they might have said that they would agree to the largest Ecclesiastical reformation. What ease it would have given to the late Ministry if they had had the assistance of these concessions. What an immense assistance to the House and the country if they had had the assistance of such valuable friends. But suppose they granted these Reforms, is it not reasonable to imagine, if these new Reformers are allowed to get warm in their seats, that some atonement will have to be made—that some sacrifice will be required to the offended spirit of the old system. It is no party feeling that makes me say this, but a real conviction of the probable result. I do not mean to compare the right hon. Gentleman opposite (Sir Robert Peel) to the prince of darkness; but I cannot help reminding the House of an old couplet—

> "The devil was sick, the devil a saint would be;
> The devil got well, the devil a saint was he."

I will forget for a moment the particular concerns and interests of this country, and will look abroad: I ask upon what foundation our hopes are to be built, that the spirit of our foreign policy will be such as to secure the sympathy and affections of England to the new Representative Governments scarcely formed in the west of Europe? I say, that we have no better hope than that which is to be derived from the proposed recognition of the usurper Don Miguel, if he would but have published an amnesty—from the precious legal argument on the Dutch embargo—from a constant antipathy, expressed over and over again, in all times and places, to those who were struggling for the possession of representative institutions, and from as constant a leaning to the side of the military despotisms of the Continent. This Administration has nothing to offer but sorrow and despair to the free States of the European community; or to such as, at no very distant period, are destined to become so. The very advent of such an Administration, without a single act done —without a single word uttered — announces to the nations of the earth, that the great moral and constitutional example of their admired England, was withdrawn from them for ever.

> Hujus in adventu jam nunc et Caspia regna
> Responsis horrent Divûm, et Mæotica tellus
> Et septemgemnii turbant trepidi ostia Nili.

There is a great issue now pending between two large classes of men, of equal respectability in the country, of equal attachment to its institutions, and which has not yet been tried; it is this, whether the spirit of the Reform Bill, may not be fully applied to our establishments, not only without injury to them, but with the most beneficial effects. I recognize no other principles in all Reforms of the Church, either of England or Ireland, than religion and revelation; I follow no other monitor than truth, and reason, which is the minister of truth. It is a truly singular feature in the present crisis of public affairs, that a large portion of the most distinguished persons in this kingdom are strongly opposed to that system and course of public measures, of which others equally honourable and good, feel themselves bound to be the warmest and the firmest supporters. I can only attribute this unfortunate state of things to the fear of imaginary dangers, which the ultimate issue of these events will prove to have been without foundation. Without waiting for the event, it might have been foreseen *à priori* that the age which would be most remarkable for the spirit of just improvement would also be remarkable for some extravagant speculations. When the human mind is excited, it is difficult in all instances to keep it within due bounds. It is a curse incident to the most beneficial changes, that such changes will be supported and advocated by those who in every large and populous community are always to be found, the unprincipled and desperate; I will not be deterred by such considerations—I will put myself upon the intelligent portion of a reflecting people.—I will go forward boldly—we are far, very far, indeed, from the utmost limits and end of human improvement, whose centre is everywhere, and whose circumference recedes indefinitely as mankind advances. If this leads to destruction, I will take my share of the punishment—if it leads to prosperity, I will claim my share of the result; I support these principles in that temper and spirit in which I shall wish to be in, in the last moments of my life.

Mr. *Arthur Trevor* looked upon the Amendment as not founded upon public principles, but intended to drive from his Majesty's Councils those who had been called thereto, and on that ground he felt himself bound to oppose it ["*No, no!*"]. Hon. Gentlemen might say "No," but he insisted that it was so, and to act upon such a motive was not only contrary to sound sense but in opposition to every principle of justice. Was it just, he would ask, to refuse a fair trial to a Ministry who had arrived at power by no unworthy means? What circumstance had been adduced to show, that they had attained to office by any base or underhand intrigue? Could any one have the hardihood to say, that if his Majesty discovered internal dissensions in his late Ministry, he was not warranted in dismissing them; and having so dismissed them, and having thought fit, upon their dissensions, to call others to his Councils — men who only took office because of the discrepancy which drove others from it—was it fair to attempt to drive an united Administration from their seats at every hazard? If such would be the result he was very much deceived in his estimate of that House. The Speech from the Throne was characterised by sound sense and justice, and the positions which it laid down were such as the circumstances of the times required. He confessed he looked with alarm upon the present design, but not as one attached to any party in that House, for he came into it independent and unshackled, and prepared to vote as his conscience should dictate. He should be ashamed to act in that House as a party man, and without intending any offence he could not help saying, that he looked upon the conduct of the Gentlemen opposite not as arising out of a desire for the removal of existing abuses, but as intended to drive from the Ministerial benches their present possessors. Admitting that they were likely to succeed in their object, who was prepared to assume the reins of Government? Would the late Ministry undertake the task? It had been stated by the hon. Member for Middlesex, in a discussion which took place in the last Parliament, that the late Administration owed the greatest part of its support to the right hon. Baronet and those who acted with him. Would the right hon. Baronet and his friends support the late Administration should they be again recalled? For himself he had little doubt that the present Administration, if they proved true to the principles put forward in the Speech from the Throne, and pursued a straight forward course, would hour by hour, and, day by day, grow stronger and stronger in the good opinions and sound sense of the country. They would be supported by the shipping and agricultural interests, who looked with despair to the course pursued by their predecessors, and who were beginning to hope for brighter prospects through the accession of the right hon. Baronet. He had to apologize for trespassing on the time of the House; but he looked upon the present as a crisis when it was the duty of every man, however inferior in talent or humble in position, to declare his opinions. He was no blind follower of any party; his intention was to support measures not men. He came into the House unpledged. He came to watch its proceedings, and act as his conviction prompted him, and he therefore felt it his duty to support the Address, because, in doing so he resisted a factious opposition. Under these circumstances, and without pledging himself to continue his support to the Ministry, he gave his most unqualified approbation to the Address. If the Speech was acted up to he confessed he was at a loss to know how hon. Members could do otherwise than, in a spirit of fair play, accord an honest and impartial trial to his Majesty's present Government.

Colonel *Sibthorpe* said, that it was quite time to get rid of the late Ministry, when they had been for two years the laughing-stock of the country. He said this without any political bias, for he maintained that he was no party man. He could not forget the language which had been used by a lawyer and a judge in an address to his constituents—he alluded to the language used by the hon. and learned Member for the Tower Hamlets. If the people of England, and even the constituents of that hon. and learned Gentleman, were not disgusted with the expressions then used, he must be much mistaken. Where was the respect which that hon. and learned Gentleman owed to his Sovereign, whose money he was receiving? He (Colonel Sibthorpe) would fearlessly assert that the hon. and learned Member should have shown very different feeling towards illustrious persons who were not present to defend themselves. In his opinion the language of the hon. and learned Gentleman was neither becoming nor decent. He was not surprised at the language used by the hon. Member for Middlesex on several occasions with respect to the present Ministers, when he recollected that that hon. Gentleman had stated that he would vote black was white to keep their predecessors in office. It had been stated that the elections had gone against the present Ministers; but he knew that in his part of the country several of the supporters of the late Administration had lost their seats. He would not allude to his own case; but he would ask where was his old friend Sir William Ingilby. He was no longer in the House;—that staunch Reformer had lost his seat for his native county, and had been succeeded by a supporter of the present Government. He trusted that this would be a lesson to other staunch Reformers not to vote against the present Address, lest they risked their seats. On the present occasion, he thought common justice demanded that they should give what the right hon. Baronet demanded—namely, a fair trial. In conclusion, he (Colonel Sibthorpe) would only observe, that he was prepared to oppose all measures of Reform which were calculated to lead to the subversion of the Constitution. He was determined to fight to the last for the institutions of the country; and as long as the right hon. Baronet and his colleagues brought forward constitutional measures, they should have his warm and cordial support.

Mr. *Clay* thought, that if one duty was more incumbent than another on the Members of the House, it was this, that now upon the first occasion that presented itself of expressing their collective opinions, they should declare their sentiments so explicitly that the people of England could have no doubt as to the course they intended to pursue. The people watched their proceedings with the greatest anxiety—disappointed in their expectations of support—when they had reposed an unlimited confidence, they turned to their Representatives with increased anxiety, and looked to the steady devotion of that

House to their interests as the only security that the Government of the country should be conducted on those principles which were recognised by the great measure of Parliamentary Reform. With these feelings, he did not hesitate to press the Amendment of the noble Member for Yorkshire to the Address that had been proposed by the noble Member for Liverpool, not only because the Amendment was more clear and definite in its language, but that it supplied some remarkable omissions in the Address; it was also more stringent in its allusions to Reform, and it expressed the wishes of the people, as to the principles on which the Government of the country should be conducted. His Majesty in his Speech, had been pleased to allude to certain Reforms which it was intended to propose, but the words in which his Majesty had been recommended to convey his gracious intentions on this head, were too vague to satisfy the just expectations of the people. It, therefore, became the more urgently their duty to show by what principles they were actuated, and that they were determined to apply to the work of Reform with energy and good faith; that, whatever other changes might take place, they would remain the same, convinced alike of the justice and necessity of sound and well-considered, but progressive Reform. These considerations would suffice to induce him to prefer the Amendment to the Address; but he had a yet stronger motive for the preference; this was not the time for any ambiguity in the expression of opinions, and he thought that it was the duty of the House to vote for the Amendment; as, by so doing, the House would express respectfully, but significantly, to his Majesty the extreme disappointment they experienced at the recent exercise of the prerogative of the Crown, in changing its responsible advisers, and in the subsequent dissolution of Parliament. It was their duty to make their sentiments known to the Crown on this subject; and he thought that it would be done in an appropriate and respectful manner by adopting the Amendment. It was his (Mr. Clay's) deliberate opinion, that the recent proceeding, to which allusion had been made, was one of the most unwise and unjustifiable exercises of the prerogative of the Crown that had occurred since the Constitution of the country had assumed its present form, by the Revolution of 1688. In its essence the late exercise of the prerogative was opposed to the spirit of the Constitution, and by its attendant circumstances amounted to a manifestation of contempt for the feelings and wishes of the people of England. If there was one maxim more clear than another as prevailing in our history—if one principle more than another obtained in our Constitution, it was, that the exercise of the undoubted prerogative of the Crown—the choice of its responsible advisers — should always be exercised with reference to obtaining the confidence of the people, such confidence being evidenced by the voice of the majority of the Representatives. What were the circumstances that attended the dissolution of the late Cabinet? Would it be denied by any Gentleman opposite that the Melbourne Cabinet enjoyed a large share of the confidence of the House of Commons? Would any Gentleman deny that the late House of Commons was dismissed because it placed confidence in the late Administration? Treatment so uncourteous no previous House of Commons had experienced from a Prince of the House of Brunswick. And upon what House of Commons, he would ask, was this experiment made? Was it a House containing a number of nominees of Peers and other persons? Was it an assemblage composed of the Representatives of rotten boroughs or corrupt constituencies? Was it a Parliament possessing little of the confidence of the people of this country? On the contrary, it was a House more truly representing the interests and hopes of all classes in the community, and enjoying a greater share of public confidence, than any House of Commons which had existed in this country for the last 200 years, or, perhaps, had ever assembled in this country. But was the dismissal of Ministers enjoying the confidence of such a House of Commons all?—by whom were they succeeded?—by men who had distinguished themselves by their unwearied exertions in opposition to that measure, which the people of England sought after with more earnestness than they did any other measure that had ever been submitted to the Legislature of the country, and which, when they obtained, they regarded as the second charter of their liberties? The right hon. Baronet (Sir Robert Peel), in his address to his constituents, asked, whether himself and colleagues were to be considered as lying under a "moral disqualification" for taking office? He (Mr. Clay) answered distinctly in the affirmative. There was no moral disqualification greater than to have been the defenders of Gatton and Old Sarum. He meant to say nothing personally offensive to the right hon. Gentleman and his colleagues; and he believed that he had abstained from doing so out of the House as well as within its walls; but their opposition to Reform was too recent to enable them now to serve the Crown effectively. He repeated, that they did not possess the confidence of the people of England to an extent to enable them to be effective Ministers of the Crown. He would say more; it was almost an insult to the people, who demanded a restitution of rights too long withheld, to offer to them as Ministers the very men by whom that restitution had been so pertinaciously resisted. It had been urged by the noble Lord who proposed the Address, that the time had come when it was a matter of necessity, that the right hon. Baronet and his colleagues should take office. He (Mr. Clay) denied the validity of such a plea, and contended, that the appointment of the present Ministry was both unwise and unnecessary. He knew that it had been urged in another place, that such divisions existed in the Melbourne Cabinet, that it was likely to encounter constant defeats in Parliament even if it could hang together until the period of meeting. He did not know of the existence of any such divisions; and it was sufficient to lead him greatly to doubt the truth of that assertion, to know that the Members of the late Cabinet did not resign, but were dismissed. The House had been told, that they would be defeated in the measures which they brought forward; but did the right hon. Gentlemen who were sitting on the opposite benches believe that they would have an easier task than their predecessors in office, in bringing forward measures which would meet with the approbation of the House? It was the general belief of the majority, both in and out of the House, that the Members of the Melbourne Cabinet were sincere Reformers, and the people were therefore disposed to make some allowances for them, if they did not proceed so rapidly as could be wished. It had been stated, that the late Cabinet, after the various changes it had undergone, and after its numerous re-constructions, had lost its efficiency, and did not continue to possess the public confidence. He (Mr. Clay) denied that this was the case. This circumstance had been alluded to by various hon. Members; but he was of opinion, that so far from the changes which had been alluded to having diminished the confidence of the public in the late Administration, it had had a contrary effect, and this opinion had been confirmed by a recent avowal of opinions in that House by a noble Lord. He believed that only one opinion prevailed throughout the country as to the late change in the Administration—namely, that the Ministers had been dismissed because they were determined to bring forward an efficient measure of Reform on a great vital question—on a question on which the late Ministry and the House of Commons were agreed in opinion. He was really tempted to ask, did they still retain their old form of Government—did they live under the Monarchy of England, in which the Crown could only act by responsible advisers, who were answerable for their conduct to the Representatives of the people? or were they in the same circumstances as the people of some neighbouring countries? where the Government was conducted by pulling the wires of a set of ministerial puppets. He need not say, that an attempt to establish such a state of things in this country would not be endured by the people of England, or their Representatives in the House of Commons. But, perhaps Ministers were disposed to get rid of so troublesome an appendage to Government—perhaps they intended again to risk a dissolution, and it was possible, after two or three experiments of this kind, three was the number of experiments for which there was a precedent, that they might attempt to get rid of the House of Commons altogether. Such, at least, was the result to which the recent most unhappy course of policy inevitably tended. When he recollected that the late Ministry was dismissed untried, and before any instance of malversation had been brought against them, and before any reason had been assigned which could justify the withdrawing the confidence of the Crown; and also, when he remembered that the late House of Commons was dismissed for no other crime than placing confidence in the late

Administration; he could not help feeling, that the prerogative of the Crown had been exercised in a manner dangerous alike to the interests of the Crown and the people, and which they could not at too early a period stamp with the decided expression of the disapprobation of the House; but, in addition to the taint which attached to the Cabinet of the right hon. Baronet, from the circumstances of its origin, its elements were of such a nature as to justify the withholding the confidence of the House. The only ground now urged for placing such confidence was, that the right hon. Baronet had altered his opinions. He now came forward and asked for a fair trial, as if he was new to them and untried. The right hon. Baronet then would sink his brilliant career—he would wish them to forget the prominent station which he had filled in that House in past days, and was anxious that they should look to him as to a man who was untried; he was not willing to recur to the past as a security for the future, but he desired that they would refer to his future conduct for what was to merit the confidence of the people. If, however, the right hon. Baronet was willing to forget his past conduct, let him not suppose that the House of Commons would follow his example. It would be most unfair not to judge of the future by the past, and to form an estimate of what he was likely to do from what he had already done. There was an impassable gulf between the right hon. Baronet and the advocates of Reform; and whatever course he might promise to pursue, after what had occurred, it was impossible, that they could expect measures of adequate and efficient Reform from him. It had been stated, that the time had arrived to make a stand. He (Mr. Clay) would give the party opposite some credit for making a stand, if they had ever shown a disposition to do more. They had been for nearly seventy years, with little intermission, in the possession of power, and they had ever been making what they called stands, and it was really difficult to say which of their stands was the most disastrous for their country. Their first stand was to tax the American Colonies; their next stand was to interfere in the internal Government of France. In more recent times they made a stand against the Repeal of the Test and Corporation Acts; then against Catholic Emancipation; and their greatest stand of all was against the Reform Bill. They now believed that they were in a situation to make a new stand; and however the subject might be misrepresented and disguised, it was against the Reform of the sinecure Church of Ireland, that they were now to make another mischievous stand. He asked the House, whether this incessant disposition to make stands did not savour less of statesman-like prudence than of a blind and unreasoning instinct of opposition to all which wore the appearance of an enlargement of popular rights? He need hardly add, that to such men as he had alluded to, he was determined to give a sincere and open, but, at the same time, an uncompromising opposition. The party with whom he acted had been taunted with being actuated by factious motives by Gentlemen opposite. No man had hitherto kept more aloof from party than himself, but these were circumstances under which Members of that House could in no way render such good services to their Constituents or their country as by combining to render impossible the tenure of office by those to whom power could not be safely or beneficially intrusted. Complaints had been made of a combination of all parties against the present Ministry; but did they recollect the combination that had been formed against the Administration of Lord North? All the distinguished men of that time joined in opposition to that Administration; and happy would it have been for the country if the warnings of Burke, and Fox, and Pitt, had then been attended to. He (Mr. Clay) conscientiously believed, that the reasons were as cogent to remove the present Ministry from office, as they were to get rid of the Government of Lord North. At present, they had more to look to than the loss of extended empire—they risked, by the continuance of the present Ministry in office, the severance from the Crown of the affections of the people—which the present Sovereign had possessed in a stronger degree than any of his illustrious predecessors. As the representative of a large borough he felt called upon to declare his opinions on the present occasion, and he had no hesitation in saying, that the large body of intelligent voters which he represented were almost unanimous in their feelings against the present Government.

Mr. *Cressett Pelham* intended to vote for the Address, as he thought that it was a delicate and dangerous thing to interfere with the prerogative of the Crown. He considered it to be just as much a part of the prerogative to dissolve the Parliament as to dismiss the Ministers.

Sir *Samuel Whalley* remarked, that it was singular the noble Lord who moved the Address could not flatter the House with a prospect of unanimity, on topics of vital interest, even amongst the Members of his Majesty's Government. Where then were they to look for it? This want of unanimity obviously arose from the Cabinet being constructed of heterogeneous materials. One avowed he was and ever had been a Reformer; the other had lately become one; and a third hated the very name of Reform, like the hon. Member for Norwich, whose consistency was remarkable in times like the present. They were not now called upon to say, whether the prerogative of the Crown had been exercised for the benefit of the country, or to serve the purposes of party. It was enough to know, that it was exercised in defiance of those principles which placed the House of Brunswick on the throne, because it went to put at the helm of affairs an Administration which was notoriously obnoxious to the people. Where was the Parliament to look for the real grounds whereon the Crown had dismissed the late Ministry from office? He thought they would do right to look for it where Mr. Fox in a parallel case sought for it in 1783, when he said, "This had been the most barefaced Government ever witnessed, accomplishing by the irresponsible advice of merely secondary agents and unimportant individuals under Government, the objects of setting the Crown to stand forth, and take measures directly in defiance of the people and the Parliament." It was the laudable custom of their predecessors in this place to tack the redress of grievances to money bills; but he trusted that the House would improve upon this custom, and not even entertain the question of Supply, till it had ample reparation for the injury it had suffered. He repeated, not even entertain the question of Supply; yes, he trusted the House would not even entertain the question of Supply, until ample atonement had been made for the outrage which had been offered to the country. When they saw that there had been a dismissal of a Parliament grateful to the people, and which had been elected by a full and free constituency—when they saw that without any apparent ground but party reasons that Parliament had been dismissed, it was their imperative duty to demand the fullest information on the subject, and to require the advisers of a measure so fatal to the Crown. Was it to be contended, that because the late Administration did not give satisfaction to every party in the House, that was a sufficient reason for their dismission? and why in this unceremonious way they should be ejected from office?—an unconstitutional act which has astonished the whole civilized world—and that one individual, too, should occupy for some time all the important offices of the State? Although he (Sir S. Whalley) acknowledged the great public services which that illustrious individual had rendered to the country, the greatness of the man might make the example more dangerous; and though he had abdicated many of the great offices he had held, and so did another great general abdicate the dictatorship, it was no less the bounden duty of the House to denounce the act, which would be recorded on the page of history, lest otherwise the precedent, hallowed by time, might be acted on hereafter. When that individual went from the Horse Guards to the Colonial-office, and from the Colonial-office to the Home-office, he must have sunk under the weight of his Seals, and the load of his diplomacy. It would be difficult for the Administration which had now joined the opposite benches to explain the grounds upon which they looked for the confidence of the House or of the country. If they took the declaration of the right hon. Baronet, they would learn with astonishment, but with joy, that not only had the present Administration settled down to that measure which they had so loudly denounced as revolutionary in 1832, and "a final settlement of a great constitutional question," but that they were prepared to carry out its principles. Arrayed as he was with those pseudo-Reformers on that side of the House, it must be grateful to the late Government to find their policy and principles were likely to find in the right hon. Baronet so powerful an advocate. But he thought, that the people of this country would be inclined to doubt the genuineness of the right hon. Baronet's conversion; and, for the sake of his character, he should advise the right hon. Baronet to take a little care of his political consistency, and not to be induced to change the line of policy which he had hitherto so ably advocated. He was far from thinking that the right hon. Baronet could be induced by the love of place to change his former line of policy. He said this with perfect sincerity, for he believed that, had the right hon. Baronet been in England, he would not have been a party to a measure which was so likely to end in defeat. He had had a foretaste already of what they would be in a few days, receiving continually recurring examples. It could not fail to be distasteful to the country to see Gentlemen, so long hostile to the measure of Reform, now running a race who should be the first in that measure, merely to gain public opinion. Persons who had been bitten by the tarantula, it was said, were cured of the excitement caused, by the exercise of dancing; and so, he supposed, those who had been newly bitten by Reform would be trying the mazy evolutions of the Reform galopade. He had thought, as a concession had been made to the demand of the country, they might not unreasonably expect a sacrifice of the whole hierarchy; but this was not to be expected; his eyes had been opened by the composition of the Church Commission, and even by the appointment of a Commission at all by a set of Gentlemen who had so loudly denounced the conduct of their predecessors in issuing Commissions on no less important subjects. He saw nothing in the terms of his Majesty's Speech which gave him any confidence. If he saw no hopes of a satisfactory and full Reform, of the application of such a large measure of Municipal Reform as had been introduced in Scotland to Ireland, he only expressed the opinion of a majority of the people out of doors. He cordially supported the Amendment, and would support it more cordially if it had been more warmly and fully expressed. The House should carry to the foot of the Throne their opinion, that his Majesty had been fatally advised to plunge the country into political excitement, by dissolving a Parliament which had given no substantial ground for distrust. It had been darkly intimated by an hon. Member, that if, by the vote of this House, the present Government was expelled from office, he knew not what would be the consequence of that line of conduct. Did the hon. Member mean to insinuate that they would again be sent to their constituents, and to terrify them with a threat of the prerogative? Was the sword of Damocles to be suspended over their heads to awe them into submission? If so, he despised all such threats. He and his Friends felt secure from any such attack, shielded as they were in the full panoply of public approval. Lord Keeper Williams had, in a similar case, very appropriately reminded Charles 1st., "that the love of your Majesty's people is the palladium of the Crown. Beware of dissolving this Parliament, for if your Majesty does, surely another swarm will come forth from the same hive." And Lord Clarendon remarks, that after the Parliament had been on this occasion dissolved, a change was observed very generally in those who had been before moderate men, but who now spoke in a very different tone and temper both of men and things. He warned Ministers against attempting to secure to themselves power by urging into reckless measures a Monarch who, until now, had only been known by his benevolent acquiescence in every thing which was for the benefit of his people. But it would well become the present servants of the Crown to count the cost of the last dissolution, and set against it how much they had gained numerically by the late general election. For his part he lived in hopes of seeing the present Ministers hissed off the stage. The object of these servants of the Crown was to dishonour the Crown by severing the Sovereign from the people; the object of which he and his Friends had in view, was to make him the beloved, glorious, and patriotic Monarch of a happy and contented people.

Viscount *Castlereagh* would meet the hon. Member on his own grounds. The intelligence, the rank, and property of the empire responded to the appeal made by the King at the recommendation of his Ministers. He was not merely speaking from his own knowledge, but from what he derived from other sources of information, to which no doubt or discredit could be attached. The voice of constitutional liberty and loyalty was heard in this country and in the part of Ireland with which he was connected, and in which devotion to the Monarchy and the settled institutions of the State was a practical principle with the people. The people of England and of Ulster had testified by the result of the elections their disposition to support the prerogatives of the Crown, the rights of property, the blessings of social order, and the stability of the State. They were called on to exercise their high constitutional privileges as electors at a critical period, and they did exercise them in a way that showed their sense of their value and of the importance of the issue. The hon. Member for Marylebone (Sir S. Whalley) illustrated his argument by the story of the tarantula; he would adopt another illustration and express a hope that the Government would not allow themselves to be caught in the spider webs of those heterogeneous parties who would form an unnatural confederacy in order to work their destruction. As an Irish Member he was glad of the overthrow of the late Government and the appointment of the present, for he believed great and beneficial measures would result to his country from their Administration. Something was necessary to be done to allay the fever of popular discontent and disaffection that was wasting her energies and maddening her people. He was convinced that some practical remedy would be adopted, and speedily too, to set the people at rest, check the current of seditious agitation, and remove the causes of complaint and dissatisfaction. It was the duty of that House to put aside all party feeling, to abandon all ground of personal differences and factious animosity, and induce all to unite in support of the institutions of the country. The measures the Government intended to propose were a guarantee of their anxiety to advance the tranquillity of the country. The question of tithes they were about to adjust satisfactorily and finally, consistently with a regard for the prosperity of the country. That question which had been such a fertile source of disturbance would be set at rest for a long series of years, and surely that was an advantage. The people of England and the loyal people of Ulster had shown that they respected the privileges of the Monarch, and were determined to stand by his Government; and he hoped that the Ministers and the Representatives of England would not be borne down by Ireland and Scotland. He considered it incumbent on every impartial, right-minded, and independent man to give the present Ministers a fair trial, and he (Lord Castlereagh) would be wanting in his duty to his constituents and the country if he did not give them his assistance and vote for the Address.

Mr. *Barry* would not have troubled the House but for the observations of the noble Lord who had just sat down. He represented as large and quite as intelligent a constituency as did the noble Lord. It was certainly not a constituency which had entered into an unnatural coalition to force two noble Lords upon that House, but one of the most free in Ireland, not hampered by landlords', or any other extraneous influence, but who voted by right of their own property, freely and without coercion. He gave them no pledge; but at the hustings he made a simple declaration of his hostility to the men now in power, and that was enough to secure his triumphant return. The same want of confidence in those men, exhibited by his election, was felt by nineteen-twentieths of the people of Ireland, founded upon the past acts of those men. Talk of a fair trial! why, had they not been on trial for twenty years last past? Their principles were detested in Ireland, and it was only necessary in that country for a man to offer himself to a free constituency in and upon the single principle of hostility to the present Ministry, to be returned. What confidence could be placed in the men they had employed in Ireland, who were sworn Orangemen? He had been told that he was a Destructive. He was a real Conservative, and those opposite the real Destructives. He wished to drive out the owls and bats from the British Constitution—ay, and the rats too. He would place at the porch of the Constitution an Irish wolf-dog, with the British lion; and the imperial eagle on the house top, to pounce upon the enemies of the country.

Mr. *Kearsley*, addressing himself directly to the Speaker, observed, that it was probably expected, that he rose to avail himself of the earliest opportunity to offer to the right hon. Gentleman those compliments upon his elevation to the Chair which were so justly his due. That, however, was not his intention. He rose to advert to what had fallen from the hon. Member for Shaftesbury (Mr. Poulter), who had thought fit to bring up an angel from below to influence the Debate. Now what he had to say was this:—he would most cheerfully give his vote for that Being, upon condition that he would take the late Pay-master of the forces and all his tag-rag-and-bobtail away to sup with him that night.

Dr. *Bowring* denied, that the representation made by hon. Members, in the course of the Debate, as to the influence possessed by the present Ministers upon the Continent, and the advantage of that influence to this country, was a correct representation. This was a subject which had fallen within the sphere of his observation, and he could speak with confidence upon it. When the power of corruption was broken by the enactment of the Reform Bill, amid the shouts of concurring millions, this country took up a new position in the civilized world. It was felt that she was identified with the progress of liberty. The advent of the present Ministry to power had totally changed the prospect; and he feared that opportunities had been lost of benefiting the country which never would be regained. When called upon for a vote of confidence in the present Government, he could only answer, that he was not ignorant enough of the past, or credulous enough as to the future, to place power in such hands. They were willing to recognize the Reform Bill. Doubtless they were as an historical fact; but not as a living principle, from which it was intended by the advocates of that measure, and expected by the people of England, that much benefit was to accrue. His Majesty had told them, that the diplomatic relations between him and other courts were uninterrupted, and that the spirit of peace and harmony prevailed. He (Dr. Bowring) hoped that this country was looking to something better than mere relations of friendship and diplomacy between kings, princes, and courtiers. Such alliances were not durable. No alliances were likely to be permanent which were not based upon the broad foundation of national interests — upon the common sympathies, the common hopes, and the common prosperity of nations. Such alliances could not be formed by an anti-reforming Ministry; for such he must call a Ministry composed of men who, individually, and as a party, had never lost an opportunity of throwing impediments in the way of improvement. The noble Lord, the Member for Liverpool (Lord Sandon), seemed to have delivered himself over to a strange delusion, when he said that this country had gained the confidence of the despotic, and not lost the affections of the free. But no art would amalgamate hostile principles, and we had to choose between (for we could not possess both) the esteem of the oppressors or the oppressed. Under many of the despotic and nearly barbarous governments of the world, it was true, there were to be found some generous and freedom-seeking men, who looked to the course of events in intelligent, influential, magnificent England, as the guide by which their own efforts in the cause of liberty should be directed. He desired to see this country afford sources of hope and confidence to the inhabitants of those kingdoms who were endeavouring to better their institutions, for he was satisfied that in proportion as we attained the blessings of freedom for ourselves, we were interested and encouraged to spread them through the world, not by violent interference, but by ennobling example. He was aware that, in certain courts, the appointment of the government would be hailed with shouts of congratulation; but he would not on that account shrink from asserting that, notwithstanding the homage which might be paid by many individuals in this country to the right hon. Baronet opposite, there were certain Representatives sent to some courts who were neither popular enough to have their nomination sanctioned by the approval of the great majority of the people of this country, nor wise enough to aid us in any emergency in which the interests of England might be exposed to the machinations of those Governments over whose proceedings they were appointed to watch. [*Calls of "Question."*]

Strangers were ordered to withdraw, and the Gallery had been half cleared, when

The *Chancellor of the Exchequer* rose to address the House*:—I feel, Sir, that in the situation in which I stand upon this occasion, it might seem to argue a disrespect towards this House, totally alien to my feelings, if I were to allow this debate to close, and the division to be taken, without availing myself of the opportunity which is presented of giving the House those explanations which have been required during the preceding discussion. However my opinion may have occasionally differed from many of those whom I have the honour to address, I trust that I have never, upon any occasion, or under any circumstances, shown a disposition to treat with disrespect any portion of the Members of this House, or to shrink from giving an explanation, either as to my conduct when acting in a private capacity, or when called upon as a Member of his Majesty's Government to give those explanations, or to express those views, which in the performance of my public duty I am bound to submit to the House.

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* From a Pamphlet published by Roake and Varty.

I shall, therefore, with the permission of the House, trusting to the continuance of that indulgence which in former Parliaments I have so frequently experienced, and relying upon their consideration of the position in which I stand, charged as I am with the important duties which have fallen to my lot—I shall, I repeat, under these circumstances, confidently reckon upon their patient and indulgent attention whilst I proceed to recapitulate and review the matters which have been alluded to in the course of the debate — the doubts expressed, and the explanations demanded.

I shall, in the first place, refer to the circumstances under which the present Government was constituted; I shall defend the course which I thought it my duty to advise the King to pursue at the period of its formation; and give accurate delineations of the measures which it is the intention of his Majesty's Government to introduce; those explanations the House has a right to require, and I should shrink from that duty which is imposed upon me if I did not avow a willing disposition to afford them. I stand here as the Minister of the Crown—placed in this situation by no act of my own—in consequence of no dexterous combination with those to whose principles I have been uniformly opposed, and with whom I might frequently have made, had I been so inclined, a temporary alliance for the purpose of embarrassing the former Government. I stand here in fulfilment of a public duty, shrinking from no responsibility, with no arrogant pretensions of defying or disregarding the opinions of the majority of this House, yet still resolved to persevere to the last, so far as is consistent with the honour of a public man, in maintaining the prerogative of the Crown, and in fulfilling those duties which I owe to my King and to my country.

In vindication of the course which I have pursued, it is necessary that I should refer to the circumstances which preceded the dissolution of the last Government. I have been asked whether I would impose on the King in his personal capacity, the responsibility of the dismissal of that Government? In answer to this question, I will at once declare, that I claim all the responsibility which properly belongs to me as a public man; I am responsible for the assumption of the duty which I have undertaken, and, if you please, I am, by my acceptance of office, responsible for the removal of the late Government. God forbid that I should endeavour to transfer any responsibility which ought properly to devolve upon me to that high and sacred authority which the constitution of this country recognizes as incapable of error, and every act of which it imputes to the advice of responsible counsellors. But whilst I disclaim all intention of shrinking from that responsibility, which one situated as I am, must necessarily incur; I must at the same time unhesitatingly assert, what is perfectly consistent with the truth, and what is due to respect for my own character,—namely, that I was not, and under no circumstances would I have been a party to any secret counselling or instigating the removal of any Government. But although I have not taken any part in procuring the dismissal of the late Government, although I could not from circumstances which are notorious to the world, hold communication with any of those with whom I have now the honour to act, much less with the highest authority in the State, as to the propriety or policy of that dismissal, still I do conceive that by the assumption of office, the responsibility of the change which has taken place is transferred from the Crown to its advisers; and I am ready—be the majority against me what it may—to take all the responsibility which constitutionally belongs to me, and to submit to any consequences to which the assumption of that responsibility may expose me.

I do not, then, hesitate to express it as my opinion, that the act by which the last Government was removed was an act perfectly justifiable. I will, for the purpose of proving this proposition, take a review of the state of the country for some time past. Looking back to the meeting of the Reformed Parliament in February, 1833, it will be seen that the Government which was formed under the auspices of Lord Grey, and which had carried the Reform Bill, continued in a successful course for a certain period. Was I one of those who refused to recognise and submit to the great change which had then recently been effected? Was I not the first to avow, in 1833, that the old tactics of party were no longer applicable to the new circumstances of the Government of the country, and that I would give my support to the Administration of Lord Grey as long as that Government attempted to act upon the principle of maintaining the institutions of the country, and in maintaining—not excluding the improvement of them? Did I seek for opportunities to embarrass that Government? How many occasions were there of which I might not have availed myself, if I had been solicitous to obtain power, to obstruct the course of the Government of Lord Grey? When the House of Commons determined by a vote of one night to repeal the malt-tax, and I heard that that vote would be followed by the removal of Lord Althorp from his place in the Government, by his immediate resignation, in consequence of his declared inability to concede on this point to the demand of a majority of this House, consistently with the maintenance of public credit—did I seek any plausible pretext of joining those who were upon that question opposed to the Government, and thereby increase its embarrassment? Did I not tender my advice that this House should reconsider that vote, and did I not share the unpopularity of rescinding the resolution for the removal of a tax to which many of my own friends were decided opponents. Again, when the noble Lord (Stanley), then Secretary for the Colonies, brought forward the measure for the settlement of the great question of Slavery, when the noble Lord had at first proposed a loan of 15,000,000*l.* to slave proprietors, and afterwards, to the surprise of a large number of this House, as well as the public generally, found it necessary to change his proposition into a grant of 20,000,000*l.*, although I differed from the noble Lord as to that measure in some matters of detail, was I not the first to support the noble Lord in his proposition for the increased vote, and to do all in my power to persuade the House of Commons to sanction it, as a vote essential to the success of the measure, and deeply involving the public honour? During the whole of the years 1833 and 1834, so far from showing any disposition to resume power by a combination with men to whose principles I was more opposed than to those of the Government, my constant efforts were directed to maintain that Government against the attacks of opponents more eager for innovation for than Ministers themselves, and I have ever given them my cordial support and assistance upon every question on which the course of the Government was in accordance with my own principles.

I will now refer to the circumstances which led to my being placed in the position I now occupy. In May, 1834, the Government of Lord Grey lost the services of those of its Members in whom the country reposed the highest confidence, and it will be in the recollection of the House, that Lord Grey was so sensible of the loss he had sustained from the secession of those colleagues as to resolve upon retiring from the Administration himself. When prevailed upon to retain office, Lord Grey reconstructed the Government; but he was fully sensible of the loss his Administration had sustained from the retirement of those who had quitted it, and to whose assistance he had attached the greatest importance. He was also aware of, and felt most srtongly, the embarrassments which threatened the Government from what his Lordship called "the pressure from without." In a letter to Lord Ebrington, Lord Grey said,—'Founded 'on the principles of Reform, the present 'Administration must necessarily look to 'the correction of all proved abuses. But 'in pursuing a course of salutary improvement, I feel it indispensable that we shall 'be allowed to proceed with deliberation 'and caution, and above all, that we should 'not be urged by a constant and active pressure from without to the adoption of any 'measures, the necessity of which has not 'been fully proved, and which are not 'strictly regulated by a careful attention 'to the settled interests of the country, both 'in Church and State. On no other principle can this or any other Administration 'be conducted with advantage or safety.' Who can doubt that the loss of the four Cabinet Ministers who seceded on the occasion I am referring to—Lord Stanley, Sir James Graham, the Earl of Ripon, and the Duke of Richmond—had a material tendency to weaken the authority of Lord Grey's Government, and to shake the confidence of the public in it? However, the Government proceeded, severe as was the shock it had sustained—but scarcely one short month elapsed, before Lord Grey himself, and those immediately connected with him, Lord Carlisle and Lord Howick, retired from the Administration. It was upon that occasion that his Majesty, anxious alone for the public interests, alarmed at these repeated secessions, seeing that they proceeded, not from hostile combinations, but from internal dissensions, or intrigues, expressed an earnest wish that a Government should be formed upon some new foundation, combining men of different parties in the public service. I believe it is no secret, that a communication was made by Lord Melbourne, at his Majesty's desire, to the noble Lord (Lord Stanley,) the Duke of Wellington, and myself, with this view. I feel bound to state, that Lord Melbourne discouraged the plan, and was not desirous that the negotiation should be entered into, because his Lordship saw no reason to hope that it would end in a satisfactory result. The other parties, too, I must mention, were as little sanguine as Lord Melbourne, that by the means projected an efficient and permanent Administration could be formed at that period. I refer, however, to this transaction, as showing how deeply sensible his Majesty was of the difficulties in which the country was involved, and how anxiously he desired, by every means within his control, to obviate those difficulties. The Government was again reconstructed—reconstructed under the auspices of Lord Melbourne; but I now publicly assert, in the face of Parliament and the country, that the foundation of that Government rested upon the continuance of Lord Althorp as Chancellor of the Exchequer with the lead of the House of Commons; that the consent of Lord Althorp to resume these functions was the cornerstone upon which the Government of Lord Melbourne was built, and that had Lord Althorp withheld that consent, Lord Melbourne would not have attempted to form an Administration. Let me also refer to the public declaration of Lord Grey as to the importance of Lord Althorp's continuance in office and in the House of Commons. On the 9th of July, Lord Grey said, referring to the communications with Mr. O'Connell respecting the Irish Bill:—'But 'this new state of affairs deprived me of 'the assistance of my noble Friend the 'Chancellor of the Exchequer, the leading 'Member of the Government in the Com'mons, the individual on whom my chief 'confidence rested, whom I considered as 'my right arm, and without whose assist'ance I felt it impossible for the Govern'ment to go on. Former breaches had con'siderably weakened the Government, this 'new breach placed it in a situation in 'which I could not well hope to retain 'my place at its head, with any view to 'serve the Crown or the country for any 'useful purpose.'

Thus, then, it appears that the retirement of Lord Grey was determined by the retirement of Lord Althorp, and that the basis on which the Melbourne Administration was founded, was this, that Lord Althorp should return to office, and, contrary to his own declared wishes and inclinations, resume the leadership of the House of Commons. The Melbourne Government was thus constructed, but the Session, though nearly at a close, did not terminate without a difference between the Houses of Lords and Commons on the Irish Tithe Bill. I will put it to the House whether, under such circumstances, it was not perfectly natural, on the necessary retirement of Lord Althorp from the Chancellorship of the Exchequer and the lead of the House of Commons, that his Majesty should review the position of public affairs, and should anxiously consider the question, whether he should continue the Government, shattered as it was to its foundation, or seek for an Administration constructed on a new basis? Was there any hope that compensation could be found for the successive losses the Reform Government had sustained—the loss of Lord Stanley, of Sir James Graham, of the Duke of Richmond, of Lord Ripon, of Lord Carlisle, of Lord Grey, and lastly, of Lord Althorp? From what quarter of the horizon did the ray of light and hope proceed? If there were a chance of success it must have been in the single expectation of the consistent and unanimous support which the Government would receive at the hands of those who held extreme opinions upon popular questions. But what hope of support had the Government from that quarter? Was it not the fact, that it was to the series of attacks made one after another from that quarter that the weakness of the Government was to be attributed? —Who was the Member of the new Cabinet best entitled to claim support from the popular party, and especially from the popular party in Ireland? Was it not Lord Duncannon, named to the office of Secretary of State from his especial connection with Ireland? Now mark the indications of gratitude for this appointment, and the prospect that Lord Duncannon had of cordial support from the only party on which he could place a reliance. On the 11th of October last, a month preceding the dissolution of Lord Melbourne's Government, the hon. and learned Member for Dublin addressed a letter to Lord Duncannon, having for its motto. "Hurrah for the Repeal," and the authority given for the motto was, "Wild Irish cry." The following is an extract from that letter:—'My 'Lord, I write more in sorrow than in 'anger, more in regret than in hostility. 'It is true that you have deceived me— 'bitterly and cruelly deceived Ireland, but 'we should have known you better. You 'belong to the Whigs, and after four years 'of the most emaciating experience we 'ought, indeed, to have known, that Ireland had nothing to expect from the 'Whigs but insolent contempt, and malig- 'nant but treacherous hostility.' This, it might be supposed, was an ebullition of ardent and heated eloquence, delivered under circumstances of strong excitement; but no, it was no such thing; it was written from the hon. and learned Gentleman's calm retreat at Derrynane Abbey, and when the hon. and learned Gentleman was in the most tranquil vein possible. The hon. and learned Gentleman said so himself. 'It is,' continued the hon. and learned Gentleman, 'my duty tranquilly 'but firmly to declare to the people of 'Ireland that they have nothing to expect 'from you; that you are as deeply steeped 'in the old system of misgovernment, as if 'you never proclaimed liberal principles, 'and that we must have a change of men 'before we have any chance of a change 'of measures. Still I do confess, I have 'arrived at this conclusion with regret. I 'feel nothing of the passion of anger; I 'cherish no hasty or violent resentment. 'But I do feel strongly the impulses of 'that duty which commands me to struggle 'unremittingly to procure for Ireland a 'domestic Legislature, where, and where 'alone, a sympathy between the Irish and 'their rulers can originate and be fostered.' So much for the opinions of the hon. and learned Gentleman respecting the constitution of the Melbourne Administration and Lord Duncannon, whom the hon. and learned Gentleman had at first hailed as a most popular acquisition to that Ministry. The House will see that, according to the hon. and learned Gentleman's own showing, no change of men could possibly prejudice the interests of Ireland, that the Melbourne Cabinet was so bad, that even the present is far preferable to it, and that the hon. and learned Gentleman himself is bound, therefore, to give it at least comparative support.

And now for the hon. and learned Gentleman's opinions as to individuals connected with the Melbourne Administration. In the same letter from which I have just quoted, the following passages occur:— 'Of what value is it to Ireland that Earl 'Grey should have retired, if he has left 'to his successors the same proud and ma- 'lignant hatred he appeared to entertain 'towards the Irish nation? Are the re- 'presentatives of that sentiment predomi- 'nant in the Cabinet? I know that—(can 'I believe my eyes when I read it?)—that 'Lord John Russell cherishes feelings of a 'similar description. Ireland in the un- 'just and disgraceful scantiness of her Re- 'form Bill, felt deeply, and deplorably felt, 'that hostility.' With regard to Lord Melbourne, the hon. and learned Gentleman said, 'I know, and everybody knows, 'that Lord Melbourne wants sufficient 'powers of mind to be able to comprehend 'the favourable opportunities afforded him 'to conciliate the popular party—that is, 'emphatically, Ireland. In plain truth, 'my Lord, it is quite manifest that Lord 'Melbourne is utterly incompetent for the 'high office he holds. It is lamentable to 'think that the destinies of the Irish people 'should depend in any degree on so in- 'efficient a person.' Next came Lord Lansdowne, of whom the hon. and learned Gentleman said, 'Lord Lansdowne, too, is 'hostile to Ireland, with a hatred the more 'active and persevering because he is bound 'by every obligation, to entertain diametri- 'cally opposite sentiments.' I will trouble the House with but one quotation more from this deliberate and tranquil letter of the hon. and learned Gentleman to Lord Duncannon:—'On this account, then, I 'repeat the chorus of that song called '"The Wild Irish Cry"—"Hurrah for 'the Repeal." You are a much better 'Repealer than I am. Your conduct, and 'that of your colleagues, has made more 'of the people inveterate for repeal than 'any arguments or exertions of mine could 'possibly do. Continue to govern Ireland 'under the special guidance of "the sage 'father of all the Hannibals," and you may 'possibly see the bench—but no, that is 'ground too sacred to be touched in public '—but you will see Ireland sufficiently 'strong to laugh to scorn every malignant 'enemy, whether Whig or Orange Tory.' Thus had the hon. and learned Gentleman disposed of Lord Duncannon, Lord John Russell, Lord Lansdowne, Lord Plunkett, and lastly Lord Melbourne himself. Is it not then clear to demonstration that the Melbourne Cabinet had not the faintest hope of support from that party on which its main reliance must have been placed.

Let me then again ask, whether it were unnatural or unreasonable for his Majesty, in considering the component parts of that Administration, and the prospect of its being able to maintain its ground, weakened as it had been by the loss of the most powerful members of the Grey Government, and further embarrassed by the recurrence of that event, and which had caused Lord Grey's retirement, and would have prevented Lord Melbourne from forming any Administration at all—namely, the resignation of Lord Althorp and his removal from the House of Commons—let me, I say, ask whether it was at all surprising that his Majesty should doubt the propriety of continuing the reins of Government in the hands of men who, three months before, rested their exclusive hope of success on the aid of Lord Althorp.

I have already stated that I was no party in the remotest degree to the removal of the former Government, never having either advised or even contemplated it; yet I feel that the acceptance of office does impose upon me a full share in the responsibility which my noble Friend (the Duke of Wellington) has contracted. I am now here to answer under that responsibility. If my noble Friend has acted unconstitutionally—if my noble Friend has done any thing wrong in his assumption of the Government, I, by my subsequent acceptance of office, have contracted in an equal degree, the responsibility thus incurred. It has been said, that it was a most grievous crime and a dangerous precedent for any one man to monopolize so many offices. My first answer to this assertion is, that there is nothing unconstitutional in a man holding two offices, and that the propriety of their tenure depends upon the state of public affairs, and the intention with which they are accepted. The Duke of Wellington, it is true, held the offices of First Lord of the Treasury, and of Secretary of State for the Home Department, and had the power, in the last capacity, of performing all the duties connected with either the Foreign, Colonial, or Home Offices. The delivery to him of the Seals of the Home Office conferred upon him the right to exercise all the functions of the other two departments — the right to advise the Crown on foreign and colonial matters, contracting, of course, all the responsibility which might attach to such advice. There might be inconvenience arising from the assumption of all these powers by one individual, but such an assumption is not unconstitutional. It is the constant practice that the secretary of one department acts for the secretary of another, during intervals of recreation, or periods of sickness; but I will not rest the defence of my noble Friend on any ground so narrow. My noble Friend assumed the double offices from the purest motives,—from his conviction that it was necessary for the public service. He had assumed them—not with the intention of arrogating to himself the supreme powers of the State, but for the express purpose of mere temporary occupation, with a view to deliver up those powers in their full integrity to another. The noble Lord (the Member for Yorkshire) has stated that this assumption was perfectly new in the history of this country, and has said (I believe I have taken down the noble Lord's words correctly) that if there should be an old Whig of the Rockingham school now alive, the hairs of that old Whig would stand on end on hearing that one man had assumed two such offices as those of the Secretary of State and First Lord of the Treasury. But I shall show that, in the good times of Whig predominance, an instance occurred when an assumption of equal powers took place in order to defeat the Jacobite party, and obstruct the views of the Pretender. The noble Lord is well read in history, and is doubtless acquainted with the events which occurred at the close of the reign of Queen Anne. The noble Lord may perhaps recollect that a short time previously to her death the Earl of Oxford had been removed from power, and Lord Bolingbroke speculated upon the assumption of supreme authority, and upon the means of constituting a Government consonant to his own views. The historian thus narrates the circumstance under which one individual did assume many high trusts, for the purpose of defeating the principles of the Tories, and the views of the Jacobite party. "Lord Bolingbroke employed this awful interval (the sickness of the Queen) in regulating his political arrangements, and the most alarming apprehensions seized upon all the true friends and well-wishers of the country. The Whigs, however, were not inactive, the indisposition of the Queen increased, and the Committee of the Privy Council, sitting at the Palace of Kensington, began to make prompt and effectual arrangements. The Duke of Shrewsbury was present, and saw the crisis had now arrived when a decisive course must be adopted, aided by the support of the Hanoverian party. The Dukes of Argyll and Somerset entered the Council-chamber, and the post of Lord Treasurer was filled up, the Council recommending to the Queen the Duke of Shrewsbury as the fittest person for that office. The Queen delivered to him the white staff, desiring him to use it for the good of her people. The same afternoon Lord Somers shook off his bodily infirmities, and repaired to Kensington, accompanied by several Privy Councillors of his party. The Duke of Shrewsbury desired to return to the Queen the Lord Chamberlain's staff, but she directed him to keep both, so that he was possessed at one and the same time of three of the greatest posts in the kingdom, namely, those of Lord High Treasurer, Lord Chamberlain, and Lord Lieutenant of Ireland." Was there a whisper of objection to this on the part of Whig authorities? Did Lord Somers denounce the act as unconstitutional? On the contrary, he sanctioned it by his presence! It was the urgency of the crisis,—it was the intention of the act that vindicated it, and extracted all the danger from the precedent. Apply the same principles to this case. The Duke of Wellington was offered the situation of Prime Minister at a time of great difficulty. He believed it better for the interests of the King and of the country, that that post should be occupied by another person, and that person was not in England. The noble Duke stated in his letter to me, that he had advised the King to send for me as his Majesty's Prime Minister, and that he had determined to assume certain offices himself, because he thought nothing would be so unfair as to ask me to take upon myself the management of an Administration, the whole of which had not been left to my formation; and further, that, if he appointed other individuals to exercise the high duties of those offices, I might probably be under an embarrassment in advising the King to remove them. It was to obviate such an embarrassment and difficulty, and to leave the appointments to myself unfettered, that the Duke of Wellington thought it better for the Crown, and fairer to me to make an arrangement in its nature and character temporary. So much for that question.

I now come to the subject of the dissolution of the late Parliament. I have been asked whether I take upon myself the responsibility of that proceeding? and without a moment's hesitation, I answer that I do take upon myself the responsibility of the dissolution. The moment I returned to this country to undertake the arduous duties now imposed upon me, I did determine that I would leave no constitutional effort untried to enable me satisfactorily to discharge the trust reposed in me. I did fear that if I had met the late Parliament, I should have been obstructed in my course, and obstructed in a manner, and at a season, which might have precluded an appeal to the people. But it is unnecessary for me to assign reasons for this opinion. Was it not the constant boast that the late Parliament had unbounded confidence in the late Government? And why should those who declare they are ready to condemn me without a hearing, be surprised at my appeal to the judgment of another, and a higher, and a fairer tribunal—the public sense of the people? Notwithstanding the specious reasons which have been usually assigned for the dissolution, I believe it will be found, that whenever there has occurred an extensive change of Government, a dissolution of Parliament has followed. In the year 1784, a change took place in the Government, Mr. Pitt was appointed to the office of Prime Minister, and in the same year a dissolution took place. Again, in 1806, when the Administration of Lords Grey and Grenville was formed, the Parliament, which had only sat four years, was shortly after the assumption of power by those Noblemen dissolved. It was on that occasion urged, that a negotiation with France having failed, it became necessary to refer to the sense of the country, but I never will admit that the failure of the negotiation with France could constitute any sufficient grounds for the dissolution of a Parliament which there was not the slightest reason to believe was adverse to the continuance of the war, or dissatisfied with the conduct of the negotiation. In the year 1807, another change took place in the Government by the accession of Mr. Perceval to power, and then again a dissolution immediately took place. In the year 1830, Earl Grey was called into office as Prime Minister, and shortly after the vote in committee on the Reform Bill, the Parliament which had been elected in 1830, was dissolved in 1831. Hence it appears that, in the cases of the four last extensive changes in the Government, those changes have been followed by a dissolution of the then existing Parliament. The present, however, I believe to be the first occasion upon which the House of Commons has ever proceeded to record its dissatisfaction at the exercise of the prerogative of dissolution.

I have been told, and indeed it has been implied in the course of this debate, that although I might have been no party to the dismissal of the late Ministry and although I was utterly ignorant of the intention to dismiss it, yet that I ought to have advised the Throne to recall the Government of Lord Melbourne, and that I should have considered myself disqualified from undertaking the Government of the country. The whole ground of objection to my possession of power is this, that, in consequence of the revolution in power which has taken place, and of the necessity of acting in the spirit and on the principles of the Reform Bill,—I am unfit to be in office, and therefore ought to have declined it. But I have never considered the Reform Bill to be a machine, the secret springs and working of which are only known to those by whom it has been constructed, or that its effect is to be the exclusion of any portion of the King's subjects from their Monarch's service. No sacrifice of principle was required from me by the King; on the contrary, I was desired to form an Administration such as seemed to myself best for the public service, to adopt such measures as I conceived most likely to advance the public interests; and I will, therefore, ask any man outside the walls of Parliament, and free from the contagion of party, whether he would not entertain a mean opinion of me, had I, under such circumstances, said to the King,—" I feel for your difficulties, but I decline your service; I never can propose measures that will satisfy the House of Commons, and I therefore advise you to resort to some other quarter for assistance."

It has been urged against me, that I and those with whom I have acted in the Commons House of Parliament were at constant variance with the Reform Governments of Earl Grey and of Lord Melbourne, and that we have contended against those Administrations which, it was assumed, were supported by the unanimous voice of Reformers. Upon this head there has been much declamation, which is certainly more captivating than facts, but facts are a little more conclusive as evidence, and I will refer to certain notorious facts—facts upon record for the purpose of deciding the question whether or not I have acted as was alleged, in constant opposition to the Reform Governments, and in continued hostility to the united body of Reformers. I reject with scorn the doctrine, that because a public man resisted the Reform Bill—resisted a great change in the balance of political power, and in the constitution of the governing body—he must be placed under a ban of perpetual exclusion—denounced as an alien from the institutions of his native land, and disqualified for public service as the patron of corruption and abuse. This convenient doctrine is founded on the assumption that the House of Commons, since the passing of the Reform Bill, has been divided into two parties—the advocates and the opponents of the Reforming Government. A reference to facts will show that such has not been the case, but, on the contrary, that I, an anti-Reformer, so far as the constitution of the House of Commons is concerned, have been the supporter of the Government, and that it is the Reformers themselves who have opposed them. To establish the truth of this I will review the principal domestic questions which have been discussed since the first meeting of the reformed Parliament in Feb. 1833. On the meeting of that Parliament an Amendment was moved on the Address—the " bloody and brutal address," as it was called by the Member for Dublin. The Government resisted that Amendment; I supported them, and was one of a very large majority. On the first reading of the Disturbances (Ireland) Bill, the Government were opposed by many, but I supported them. Next came Mr. Attwood's motion on the subject of the general distress; there I supported the Government. So also on Mr. Harvey's motion relative to the Publication of the Lists of Divisions; on Mr. Grote's motion upon the vote by Ballot; and on Mr. Rippon's motion for the Exclusion of the Bishops from the House of Lords. The Government opposed also the repeal of the Malt-tax, and I lent them my assistance. On the motion for the alteration of the Corn-laws, and for a substitution of a Property-tax in lieu of the duties on malt; on the grant of pecuniary relief to the Irish Clergy; on Mr.

Tennyson's motion for the repeal of the Septennial Act; on Mr. Harvey's second motion upon the Pension List; on Sir William Ingilby's resolution for the Reduction of the Malt-duties; on Mr. Buckingham's proposition relative to impressment; on Mr. Hume's motion on the Corn-laws; on Lord Althorp's proposition with respect to the Church-rates; on Mr. O'Connell's motion for the Repeal of the Union—on every one of these occasions I have found myself in close connexion with the Government, and lending them my most earnest and zealous assistance and support.

Now take the other side of the account. I have differed from the Government on the question of the admission of Dissenters into the Universities; and I had also the serious misfortune to differ from them on the motion for a Committee for the persecution of Baron Smith. I voted also against them on the question of the Irish Church Temporalities, and against Lord Althorp's proposition to make Bank-notes above the value of *5l.* a legal tender. Now strike the balance. Look at the questions on which I have supported, and those on which I have opposed the Reform Government—compare their number, compare their relative importance, and then decide—whether I or the ultra-Reformers were the parties differing the most in views and principles from the Government of Lord Grey. At the same time I feel it my duty to declare, that I will not try to conciliate the support of the House by any false professions. After the passing of the Reform Bill I saw that a great change had taken place; that there had been a complete revolution in the possession of power, and that necessarily there must be on the part of public men, who meant honestly by their country, a spirit of accommodation in their public course to the altered circumstances of Government. I, however, cannot say that I intend in power, or as a condition on which to retain power, to adopt any course differing in principle from that which I pursued in opposition, subsequently to the passing of the Bill of Reform. On questions in which I opposed the late Government I intend still to maintain the principles which actuated that opposition. I do not mean to vote for a compulsory obligation on the Universities to admit Dissenters within their walls, but will leave that question to be determined by the Universities themselves. I also intend to maintain the same principles on which I acted with reference to the Church Temporalities Bill, and I will not consent to the diversion of Ecclesiastical property to other than Ecclesiastical purposes. If I differ from the majority of the House, I regret it; I differ from them with respect, but I will not make the sacrifice of my opinions on the two points to which I have referred for the purpose of gaining their favour or their support. I am no apostate; I am not deviating from any principles which I have ever professed. The rule of my conduct in office, will be that which I have taken for my rule out of office, to make no sacrifice of public principle, but at the same time not to stand in fruitless opposition to the operation of changes in our institutions, the making of which I certainly deprecated, but which when made I was among the first to recognise as final and irrevocable.

I hope that the House will allow me to take a view of the measures indicated by the King's Speech, as those hereafter to be proposed by the Government, and to afford the House the explanation respecting them which has already been required of me. I am afraid that I am trespassing on your attention at a length which may become wearisome to your patience, but I trust that you will make allowance for the situation in which I am placed, and that your possible disinclination to hear me as a private individual will not apply to me as a Minister of State. The first point noticed in the King's Speech, is our relations with foreign princes and states. The Government declares its earnest desire to cultivate the relations of amity with them. The Government states, that they entertained confident expectations of being able to maintain the blessings of peace. They already see a tendency to increased confidence in the British Ministry, on the part of some of the great powers of Europe, and that confidence has been manifested by the commencement of a reduction in the military establishments of two of them. I allude to the fact, that Austria and Prussia have both begun to reduce their military force—the one in her Italian, the other in her Rhenish provinces. It has been argued on the other side, that it is an ill omen, a positive evil, that the military Governments of the Continent should have any confidence in the Ministry of England. There might be some foundation for this if the Ministers had contracted any engagements with those Governments which could bind them to depart from the true principles of British Policy, and from their disinclination to interfere with the internal affairs of other countries. We have contracted no such engagements, but we are proud of the confidence of foreign powers, and wish to maintain their good will. And I must say, that nothing is more unfortunate than the course occasionally pursued in this House of loading with personal obloquy and the severest vituperation those who possess the chief authority in countries, whose cordiality it is our interest to cultivate, even though they are governed by institutions less free than our own. What inconsistency is there in maintaining the principles of a free Representative Government, and yet, disregarding the difference of our institutions, in cultivating friendship with despotic powers? It would be well if those Gentlemen who profess liberal principles would imitate the example of a country with institutions more liberal even than our own—I mean the United States, which sees no inconsistency and no dereliction of principle in courting the most friendly relations with foreign states, without troubling themselves about their forms of government. What advantage is there, I would ask, in alienating foreign Sovereigns from us by reflections which irritate their feelings, but do not diminish their power, and which prevent us from exercising a friendly and salutary influence over their councils? But it is said that this increasing confidence in the British Government on the part of certain foreign powers must be owing to our alienation from our powerful neighbour and ally—France. Now, why should that suspicion be entertained against the present Government? Who was the first to confirm the nascent power of Louis Philippe by an unhesitating acknowledgment of it, but the Duke of Wellington? Why should this Government view with jealousy the increasing prosperity of France? Why should it repine at advances in improvement, which re-act upon our own welfare, or entertain a lurking feeling adverse to the maintenance of that cordial good understanding with France, on which, in my conscience, I believe the peace of Europe mainly depends.

The next point noticed in the King's Speech is the necessity of economy. Ministers state the fact, that the estimates of this year will be the lowest that has been known since the peace of 1815. The fact being so, they have stated it, but not with an invidious comparison between their acts and those of the former Government. They do not claim the reduction as their exclusive credit. They wish it to be shared with the Government which preceded their own; and as that Government, in its financial statement, had the liberality to admit the economy enforced by the Duke of Wellington in his former Administration, so the present Government, in its estimates, has the liberality to admit that it only continues to act in furtherance of the economical principles enforced by the preceding Government. But at any rate, the statement of this fact is an answer to those who said, that the appointment of a Conservative Government would lead to increased expense in all our establishments. Comparing the estimates of the present year with those of the last I entertain a confident hope that it will be possible to make a reduction, consistent with the due execution of the public service, to the extent of 500,000*l.* For that Ministers claim not an exclusive credit—it arises less from the reduction of establishments than from the enforcement of those wise principles of economy which were first laid down by the Duke of Wellington, and afterwards adopted by the late Administration.

I will now shortly advert to the measure for the Abolition of Slavery. There has been an impression that the success of that great measure will be impeded by the restoration of the present Ministry to power. It is true that they have not entertained the sanguine expectations respecting its eventual success that has been entertained by many hon. Gentlemen on the other side of the House; but this I will say, that if ever men were under a moral obligation to be scrupulous in promoting the success of that great measure of philanthropic benevolence, the present Ministers are under that obligation, for the very reason that they have been less sanguine than its authors. And what has been the practical course which Ministers have pursued respecting it? So far have they been from seeking any advantage from the patronage of the different appointments in the Colonies, that their first resolution has been to continue in their post all the Governors appointed under the late Administration. Those Governors being appointed by that Administration, are cognizant of its intentions, and are therefore probably the best instruments for carrying those intentions into effect. Lord Sligo, for instance, is the Governor of Jamaica. The first thing which Lord Aberdeen did upon his appointment to office, was to write to that noble Lord, and to request him to remain in his situation, as he was cognizant, from personal communication, of the views and feelings of the late Government. The present Government has sent out additional Magistrates to some of the Colonies (the only instance in which it has incurred expense without the knowledge of Parliament) but they have not hesitated to undertake the responsibility of such a proceeding, as the object of it is to further the success of that great measure for the Abolition of Slavery.

It has been said by hon. Gentlemen on the other side, that the Speech from the Throne is in its terms vague and inconclusive; that it is couched in the usual indefinite language; and that it leaves Parliament uncertain as to what is to be done. Now, of all the Speeches which have ever been delivered from the Throne, it does appear to me that this is the most precise as to the intentions of the Government, and as to the measures which it is intended to propose. I wish the House to recollect, that I returned from the Continent on the 10th of December, and that I am now speaking on the 24th of February. It is no slight labour in the interim to have constituted a Ministry, and to have given the requisite consideration to such measures as are announced in the Speech from the Throne. Among the first of them, in point of urgency, is the state of the Tithe question in Ireland. Government will propose a measure for its final and equitable adjustment. For the commutation of tithe in England and Wales, Government is also prepared with a measure. For the administration of justice in Ecclesiastical causes, Government intends to adopt a Bill, founded on the Report of the Commissioners appointed by the former Government of the Duke of Wellington; a Bill of which subsequently the right hon. Member for Cumberland has been the chief promoter; a Bill which will destroy all petty Ecclesiastical Courts, and will appoint Supreme Courts for the cognizance of all Ecclesiastical causes. Government also proposes to make provision for the more effectual maintenance of Ecclesiastical discipline—a provision which will enforce episcopal authority, not over the laity, but over the clergy, and will check, if not entirely prevent, those cases of scandal which occasionally occur, but the punishment of which is dilatory and ineffectual. Government also intends to propose a measure which will relieve those who dissent from the Church from the necessity of celebrating marriage according to its rites. I have been asked, "Is that all you intend to do for the Dissenters? You may relieve them from that grievance, but do you leave all their other grievances unredressed?" Now I must remind these objectors, that great importance has been attached by the Dissenters to the redress of this very grievance. It is no new point that I have taken up. The noble Lord opposite has failed before me; and the first point to which I gave my attention on my return to power, was the mode in which I could fulfil most satisfactorily the expectations of the Dissenters on this subject. It has been objected, that there is no mention in the King's Speech of any measure for establishing a general registry of births and deaths. That is a subject full of difficulties, which I am occupied in considering and attempting to solve; and it is not the practice of the Crown to indicate in the Speech from the Throne measures, until the details are all settled. Now, the consideration of these measures has occupied more time than it was almost possible to devote to them, paying due attention to the general business of the State. Any measure for establishing a general registry of births, will require long and mature deliberation. I candidly confess, that I am not at present ready with all the details of such a measure. I have not, however, any objection to the principle of it. Such a measure, well matured, would be of great advantage to the public at large, as supplying valuable statistical information, and affording better means than any that now exist, for establishing titles to property. But we are too apt to expect that we can in every case combine the advantages and facilities which despotic Governments have, with those of free institutions. It may be easy in Prussia or Austria to impose a penalty on any man who has a child born to him, and who does not register its birth within a given time. I doubt, however, whether such a regulation would be at once practicable and satisfactory in this country. On this subject I will at once avow my opinion, that I wish to see the registry of births and deaths, the registry, that is, of facts, as well as of religious rites, still in the hands of the

Ministers of the Church, first, because I think them the most competent to keep such a registry, and secondly, because a single register for all classes of the King's subjects would prevent much trouble and expense in ascertaining facts connected with birth or death.

Then, I am told that on the subject of Municipal Corporations the Speech is still more vague and inconclusive. On that point I will appeal to the fairness of the House. A Committee was appointed in the last Parliament, to inquire into the state of Municipal Corporations. That Committee, of which the present Speaker was Chairman, made certain inquiries. It found that it had not sufficient powers to conduct the inquiry satisfactorily, and it recommended the appointment of a Commission to conduct it. On his recent appointment to office a right hon. Friend of mine, to enable the Government to consider their report, to weigh the evidence which they had collected, and to examine the suggestions which they had proposed, wrote to the Municipal Commissioners for the information which they had collected. I can have no reserve with the House, and it will perhaps, be satisfactory to it to hear the answer of the Commissioners. It is dated the 27th January, 1835. The Commissioners state that their inquiries are now complete; that 293 Municipal Corporations have been visited by them; that 241 reports have been sent in; that 182 have been printed; but that the remainder of them are at that time unfinished. The Commissioners further declare that they can not state when their general report will be ready, but they express a hope that it will be finished in the month of February. They likewise declare that it is not their intention to present a partial report on any branch of the subject unless they are specifically required so to do. Under such circumstances I contend that it would have been contrary not only to the practice usually adopted in such cases, but to the respect due to a Commission appointed by the Crown, if the Government had indicated in the King's Speech any definite measure of Municipal Reform. What would be the use of the Commission, if in the very month in which it proposed to produce its report, Government without even waiting to look at it, came forward with a measure of its own upon the subject? The report made by the Committee of the House of Commons, of which their Speaker was the Chairman, on the subject of these Municipal Corporations, contains the following words. After expressing a decided opinion that a further and searching inquiry should be made, with a view to the adoption of a sufficient remedy, they say—"Having come to this conclusion, your Committee are not enabled to offer any final suggestions as to the remedies which ought to be adopted; and being further of opinion, that from the defective nature of their inquiry, even those cases which they have examined ought to be subject to further scrutiny, they have thought it desirable, with very few exceptions, to abstain from pointing out particular defects, or animadverting on individual testimony, while there is a possibility that a different colour may be given to the case by future investigation." Is not this very passage a conclusive reason for suspending a judgment as to any specific practical measure. An hon. Gentleman has asked me, and insisted upon having an answer to his question, whether Ministers intend to give the Ten-pounders, as they are called, the power of electing to all offices in these Corporations? Now, to that question I must reply, that until I have had an opportunity of reading the report, and the evidence founded upon it, it would not be consistent with my duty to pledge myself as to what I will do upon any given point. If he were to ask me whether I have any conceivable interest in maintaining the abuses of Corporations, or any prejudice in their favour, I would reply at once that I have no such interest, and no prejudice that will prevent me from giving a fair consideration to any plan for their amelioration, I will go the full length to which the Government of Lord Grey went in the Speech which they advised the King to make, after the appointment of the Commission, but when, as at present, its inquiries were incomplete. The Speech from the Throne, in the commencement of the Session of 1834, when Earl Grey was Minister, contained these expressions—"Many other important subjects will still call for your most attentive consideration. The reports which I will order to be laid before you from the Commissioners appointed to inquire into the state of Municipal Corporations, into the administration and effect of the Poor Laws, and into Ecclesiastical Revenues and Patronage in England and Wales, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied." I am prepared to adopt every word of that Speech. I will go the full length of it, and why should I be required to go farther? I am not prepared to name any definite measure on the subject at this moment, but I will give to the suggestions of the Commissioners every fair consideration. I will not, however, to conciliate a vote on this occasion, do that which is not only contrary to all usage, but also to my sense of what is the duty of a Minister of the Crown.

I have been told that in the Speech from the Throne not the slightest reference has been made to the subject of Church rates. It is well known that I supported the measure brought in by the late Government for the transfer of the Church rates to the public Revenue. That measure has met with great opposition from the Dissenters. I for one, cannot agree to the extinction of Church rates. I think that there is an obligation on the State to provide for the repair of Churches, but I also think that the charge of providing for that repair bears very unfairly on the land, and that subject is one which I had in view when in the King's Speech reference was made to "a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burden of them more equally over other descriptions of property." An interpretation has been put upon that paragraph, which is by no means intended. No new mode of general taxation is meant by it. It has a special reference to the report of the Committee of last Session on county rates, and to the relief of the agricultural interest from certain local burdens, of which the Church rate is one.

I next come to that part of the King's Speech which relates to the Church Commission appointed by Government. The subject into which it has to inquire is extensive and complicated, and I cannot promise the House to bring forward a measure upon it at a very early period. I will, however, tell the House what I have already done. On the vacancy of the first of those appointments in the Church which are usually called—I will not say rightly or wrongly—sinecures, I have advised the Crown to make no appointment to it, but to allow all the circumstances connected with it to be considered by the Church Commission. The appointment to which I allude, is a prebendal stall at Westminster, of the value of 1,200*l.* a-year. I mean to take the same course on every other Ecclesiastical benefice of the same class that may fall vacant, that is, I will not fill them up for the mere sake of patronage, but will refer each to the consideration of the Commission. Now, what is the practical course that has been adopted with regard to this prebendal stall? It has been found that in the neighbourhood of Westminster Abbey, dependent on its chapter, are two parishes, St. Margaret and St. John, with a population of 50,000 souls. In the first-named parish there are 28,000, and only one church; and it is an evident fact, that one minister must be inadequate to the due discharge of the duties of such a parish. The Government has advised the Commission to attach the stall to that living, making it a condition that additional spiritual instruction shall be provided for the parishioners. There is no house belonging to the minister of St. Margaret's. It is proposed to constitute the parish into a rectory, and to attach the prebendal house as a residence for the rector. This is the course which, on a future similar occasion, Government intends to pursue with regard to St. John's parish, and I hope that if any delay shall occur in calling for legislative interference on this point, it will not be supposed that that delay is intended to defeat the object of the Commission, but that it is required solely for deliberate consideration. I have not advised the Crown to appoint the Ecclesiastical Commission with any view to popular favour. I would not make the slightest sacrifice of the interests of the Church, to obtain such favour. I have advised the Commission for the single purpose of increasing the opportunities for divine worship, according to the forms of the Church of England, and of confirming and extending its legitimate influence among the people.

These are the general measures of Government, the indication of which is to be found in the Speech from the Throne. They are measures which, with the least possible delay, will be submitted to the consideration of this House. In rivalry to the Address, an Amendment has been proposed, and if the Address is vague and inconclusive, the Amendment is at least equally open to the same objection. It indicates no measure—it only states the hope of the House that the same principle which restored to the people the right of choosing their Representatives, and which caused the Bill to pass for the abolition of Slavery, would be seen in the promised Church Reform, and would place our Municipal Corporations under vigilant popular control. What can any one collect from such an Amendment? What pledge is implied by a declaration, that the same principle which abolished slavery, should improve a Corporation? Is it not evident that the Amendment was produced with some other view than its professed one? Is it not evident that the framers of the Amendment are afraid to recognize in it those measures which are called measures in the spirit of the Reform Bill; but in respect to which—to every one of which they know that a difference of opinion exists among their own party? Why have they not inserted a word about the Ballot? Why not a word about the repeal of the Septennial Act? Why not a word about the Pension List? Why not a word about the Repeal of the Union? They know that on all those measures, being the very measures which have chiefly occupied public attention, there is not one on which they can express unity of sentiment. No, they must go back a distance of three or four years to find some point of common agreement—to the time when their party was united on the question of the abolition of slavery, and on the Reform Bill. They select the questions which are practically decided—which all the world admits to be finally disposed of, but the unsettled questions they dare not advert to. They shrink from a reference to the Ballot, the Septennial Bill, the Pension List, and the Extension of the Suffrage. They try to conceal their present differences, and dwell with vain regret on sympathies that once existed, and on agreements that can never be recalled,—

> "Quo desiderio veteres revocamus amores?
> Et dudum amissas flemus amicitias?"

Oh, the time of their union and sympathy is now gone by. On this very evening, from ten different quarters, have notices been given of motions for carrying further the principles of the Reform Bill; but they shrink from the indication of any opinion on those motions in the Amendment, because they know that this would lead to an open rupture amongst them. No, the Amendment is proposed for the sake of involving in difficulty the noble Lord (Lord Stanley) and his friends near him, who, because they concurred in supporting the Reform Bill, and the Bill for the Abolition of Slavery, it is hoped may be caught in this trap, so insidiously prepared for them—the trap of compliment to measures in which they concurred, and of which they were the most prominent promoters. I feel confident of this, that those whom the Amendment endeavours to embarrass, will have the firmness and good sense to see what is now the real question at issue. We know that this Amendment is a mere superfluous eulogium on the Reform Bill, and that for Slave Emancipation. If hon. Gentlemen on the other side of the House ask whether I recognise those measures as measures which I should now support? I answer plainly, yes. But if they ask me further, if I mean to act on the principles involved in them, I will refer to their own party struggles of the last two years, and will tell them that they themselves do not know what those principles mean. I will not say whether I concur in the remainder of this Amendment. It was drawn up, I have no doubt intentionally, in such a manner that I should not comply with it. I know not what is meant by the phrase, "remove all the undoubted grievances of the Protestant Dissenters." Is this intended to exclude the grievances of the Roman Catholics? if so, my measure of relief in respect to marriage, will go beyond that of the framers of the Amendment. I request them not to hamper me and tie up my hands by their foolish Amendments—not to restrict my measures of intended liberality, and compel me to confine, what I mean for the relief of all, to the case of Protestant Dissenters. As to that part of the Amendment which speaks of correcting those abuses in the Church, which impair its efficiency in England, disturb the peace of society in Ireland, and lower the character of the Establishment in both countries, notice has been given of a direct motion on the subject. The words imply not that the Tithe Question, but that the Church of Ireland, disturbs the peace of Ireland. Now, this great question ought not to be disposed of by a vague and general resolution. I will frankly avow my determination not to accede to the Amendment. Indeed, I can not accede to it, without implying willing degradation on my part. I know the responsibility of the duties which I have recently taken on myself; but I will persevere in their discharge, because I fear the impossibility of constructing a Government which could have stronger claims on the confidence of the public, than the present. While any difference of principle remains as to the mode of dealing with the Church of Ireland, it will be a difficult task to reconstruct the Government of Lord Grey. Indeed, no Government could be formed without a selection of individuals from each of those numerous parties which, though they are now acting in concert, have been but a few short months ago, and may be in a few short weeks again, in bitter hostility to each other. Take the question of Repeal of the Union with Ireland. Are there no differences of opinion on that point, which will prevent any lasting junction with the party by which the question was advocated?

The hon. and learned Gentleman (Mr. O'Connell) has constantly proclaimed that no consideration could induce him to accept office under any Government that did not consent to repeal the Union. But he now seems disposed to waive his scruples, and to consent to the cares of office, foreseeing the formation of a Government, two-thirds of the Members of which are, according to him, to be Radical Reformers. Suppose he is right in his anticipations. Suppose a Government to be formed, purified, as they call it, from Lord Grey, from the noble Lord (Lord Stanley) and their friends, rid of the incumbrances which are said to have obstructed the march of Reform—what prospect is there that they will be enabled to conduct a Government which will conciliate the good will of the intelligence, the property, the respectability of this country? You may try to overcome such obstacles, you may resort to the convenient instrument of physical force, but you will signally fail, and yourselves will be the first victims of the agent whose alliance you have invoked, but which you cannot control.

With such prospects I feel it to be my duty—my first and paramount duty—to maintain the post which has been confided to me, and to stand by the trust, which I did not seek, but which I could not decline. I call upon you not to condemn before you have heard, to receive at least the measures I shall propose, to amend them if they are defective, to extend them if they fall short of your expectations, but at least to give me the opportunity of presenting them, that you yourselves may consider and dispose of them. I make great offers, which should not lightly be rejected. I offer you the prospect of continued peace—the restored confidence of powerful states, that are willing to seize the opportunity of reducing great armies, and thus diminishing the chances of hostile collision—I offer you reduced estimates, improvements in Civil Jurisprudence, reform of ecclesiastical law, the settlement of the Tithe question in Ireland, the Commutation of Tithe in England, the removal of any real abuse in the Church, the redress of those grievances of which the Dissenters have any just ground to complain. I offer you these specific measures, and I offer also to advance, soberly and cautiously, it is true, in the path of progressive improvement. I offer also the best chance—that these things can be effected in willing concert with the other authorities of the State—thus restoring harmony, ensuring the maintenance, but not excluding the Reform (where Reform is really requisite) of ancient institutions.—You may reject my offers—you may refuse to entertain them—you may prefer to do the same things by more violent means; but if you do, the time is not far distant when you will find that the popular feeling on which you rely has deserted you, and that you will have no alternative but either again to invoke our aid—to replace the Government in the hands from which you would now forcibly withdraw it—or to resort to that "pressure from without," to those measures of compulsion and violence, which, at the same time that they render your Reforms useless and inoperative, will seal the fate of the British Constitution.

Lord *John Russell*, before the House adjourned, begged leave to ask the right hon. Gentleman two or three questions. One was, what course he intended to pursue with respect to the disabilities of the Dissenters? He wished also to know whether it was intended to bring on the question of the commutation of tithes at an early day? Lastly, was it the right hon. Gentleman's determination to lay on the table the Reports of the Commissioners of Church Inquiry in Ireland?

The *Chancellor of the Exchequer* replied that he had already stated that soon after he had entered the Cabinet, he had applied himself to the consideration of measures for the relief of the Dissenters; and that he hoped to be able to submit a proposition which, although it would not go to the admission of Dissenters into the Universities, would relieve them from the disabilities under which they laboured, with reference to the professions of law and medicine. Propositions, also, with respect to the marriages and the registers of the births of Dissenters, were under consideration. It had been alleged that the former ought to be postponed until the latter was ready to be brought forward; but he did not see that the adoption of the one proposition, would be prejudicial to the subsequent adoption of the other. With respect to what the noble Lord called a Commutation, but which was, in fact, an Adjustment of Tithes, that was a measure which would be soon brought before Parliament. As to the reports of the Commissioners of Church Inquiry in Ireland, not above half of those inquiries were complete. He would not pledge himself with respect to any step on the subject, but he would pledge himself that the inquiries should be completed, and the Reports laid on the Table of the House.

The further debate was adjourned.

HOUSE OF COMMONS,
Wednesday, February 25, 1835.

MINUTES.] Petitions presented. By the Sheriffs of London, from the Lord Mayor and Corporation, for the extension of Smithfield Market.—By Mr. C. C. CAVENDISH, from a Place in Sussex, for the Repeal of the Malt Tax. [In consequence of the great Number of Election Petitions, it was settled this day, that the House should revert to its old custom of meeting at four o'clock, and not meet at twelve, as it had done during the last Session.]

ADDRESS IN ANSWER TO HIS MAJESTY'S SPEECH — ADJOURNED DEBATE.] Mr. *Robinson* said, the interval which had elapsed since the Adjournment of the Debate had afforded him an opportunity, in common with many others who had not heard the Speech yesterday, of looking at the Address proposed to be presented to his Majesty, and at the Amendment proposed to be grafted upon it, with all the attention that was due to both. He would commence by confessing that he was not altogether satisfied with the Speech which his Majesty had been recommended to deliver; for, partaking as it did of all that vagueness which characterized all former compositions of this nature, it was liable to objection from Reformers on account of its important omissions. One of the most important omissions to which he had just adverted was the omission of a declaration of any intention on the part of Government to take up the Report of the Commission on Municipal institutions in the spirit in which that Commission originated. He admitted, however, that the able and eloquent Speech of the right hon. Baronet, which was calculated to make a deep impeession on the public, though it had not influenced his mind to support the Address, had supplied some of the deficiencies which were to be regretted in his Majesty's Speech. He would throw overboard all cavils, and would take the Speech of the right hon. Baronet, as it ought to be considered, as a supplement to the Speech from the Throne; and come to the consideration of the present question under the grave impression that Parliament was now assembled in a crisis of the utmost importance to the best interests of the country. If he thought that by concurring in the Address, and by opposing the Amendment, he was to be considered as expressing a confidence, which he did not feel, in his Majesty's present Ministers, he for one would never concur in that Address. He was obliged to confess, that when he looked at the composition of the Government, and at the recorded opinions and public acts of many of its Members, as contrasted with their present professions, they did not inspire him with any strong confidence in their future conduct. He was not, however, unwilling to give the Government that fair trial which the right hon. Baronet at the head of it demanded. He would deal with that Government as he had dealt with every other Government since he had been in Parliament; he would not meet it with factious opposition, but he would look at the measures it proposed with fairness and impartiality, and would make a reasonable allowance for all the difficulties which it must inevitably encounter. Looking at the first act of the right hon. Baronet in his official capacity since his return to power, he must say, that he did not see in it any adherence to those principles of anti-reform with which the right hon. Baronet had been so loudly charged. His first act had been to make overtures to the noble Member for Lancashire, whose attachment to the principles of Reform had never yet been disputed. When he (Mr. Robinson) was called on by the noble Member for Yorkshire to adopt his Amendment, he felt compelled to ask himself what was the object of it. It was notorious that the Amendment had not merely for its object the supplying of the deficiencies in the Address proposed by the noble Member for Liverpool; it had also for its purpose the destruction of the present Government before it was tried—an object which the noble Mover did not for a moment conceal either from himself or the House. He could not join in any project of that kind. He had declared on the hustings on the day of nomination, before he had obtained a single vote, that if an attempt was made to subvert the present Administration before it had an opportunity of developing its measures, in that attempt he would not concur. Whether his constituents would be angry with him for acting in such a course remained to be seen; he could not tell how that might be; but, at any rate, they would not have cause to charge him with acting inconsistently. He had never been either the factious opponent or the servile tool of any Ministry; he had never been a party man; on the contrary, he had always been independent of party. Determined as he was to remain so, he could not help asking himself, and every other Member ought to consider what would be the consequence of subverting the Government in the very infancy of its existence? Though he was not inclined to deny the possibility of forming a Ministry out of the men of talent, influence, and weight, who sat on the Opposition side of the House, he must still contend that there existed among the party composing the Opposition such elements of discord and disunion as would render it impossible for them, in case they subverted the present Ministry, to construct a new Ministry which would be able to conduct advantageously the business of the country. If that were true—and he stated it before Gentlemen who might deny it if they could—was it not consistent in him to support the new Government to this extent, and to this extent only—namely, to give them an opportunity of bringing forward those specific measures of Reform which the right hon. Baronet last night stated himself willing to give the country? That would be an important point gained for the country; for if the right hon. Baronet were allowed to place such measures upon the Table, the party opposite, with whom the right hon. Baronet was connected, would be committed—and he did not use the word committed opprobriously—to that extent to the principles of Reform. That would break down the party barriers which at present prevented men of equal talent and virtue from coalescing with each other for the advantage of their common country. It had been taken for granted on the side of the House at which he was speaking, that all their constituents were of one way of thinking, and it would appear from some of the speeches which had been made, that he and all who, like him, were prepared to give a qualified support to the present Administration, were doing injustice to the constituents who had returned them to Parliament. He certainly should be doing injustice to his constituents if he were to deny that the majority of them were Reformers and anti-Ministerialists. But though the majority were Reformers and anti-Ministerialists, they were not over friendly to the Whigs. He believed that some of them, but certainly not a majority, were favourably disposed to the present Ministers; he was not, however, bound to neglect entirely the wishes of the minority, though he admitted that it was his duty on most occasions to show greater deference to the wishes of the majority. Let the House look at the returns made at the last election. Would any man with any pretensions to fairness deny that the opinions of the electors in cities and boroughs were not greatly divided between the present Ministers and their opponents? He said in the cities and boroughs for he excepted the counties, where he knew that pecuniary motives had great weight. Take Liverpool for instance,—it had returned the noble Lord who moved the Address, and another hon. Gentleman of politics diametrically different. Take another large seaport—Bristol. It returned, if not two, certainly one Member friendly to the present Government. At Halifax, a newly constituted borough, the balance of opinion was so close, that a Ministerial representative was returned, he believed, by a majority of one only. It was therefore not quite fair to say that all the boroughs of the country were determined to turn out the present Ministers without even giving them a fair trial. He knew the difficulties which the right hon. Baronet would have to encounter if he continued to sit upon that bench—he was afraid that those difficulties would be almost insurmountable; but, supposing the right hon. Baronet to be turned out of office, would the difficulties of the Opposition be less formidable? Their bond of union would be dissolved with the dissolution of the present Ministry, and the elements of discord and confusion would so embarrass the new Government, that no good, useful, practical measure could be carried through Parliament. It was a difficult and ungracious task to one who, like him, pretended to the name of a Reformer to talk of placing confidence in an Administration composed of so many persons who had formerly opposed Reform; but, after the able speech of the right hon. Baronet, developing his future line of policy, he thought that he ought to have a fair trial before he was condemned. Though some gentlemen were sneering at his professing himself a Reformer overlooking the important fact that he had uniformly supported all great Reform questions, he would now say, in the face of the House, that he would rather see the cause of Reform safely and steadily progressing with the consent of those parties who had formerly been its adversaries, than see measures of Reform forced upon the country before the country was ripe to receive them. Another reason why he could not concur in the Amendment was, because it stated that the late dissolution of Parliament was not necessary. Now, if the change of Ministry were justifiable—on which point he offered no opinion at that moment, because it must of necessity be discussed fully hereafter—the dissolution of Parliament was the necessary and inevitable consequence of that change. What had the result of that dissolution told the right hon. Baronet? He gave the right hon. Baronet credit for being sufficiently sagacious in his views to know that his position at the present time was very different from what it was when he was last time a Minister of the Crown. Now, he would tell the right hon. Baronet that the result of the late elections had proved two things,—it had proved that the country was determined to have those Reforms effected which the lapse of time had rendered necessary for the perfection of its institutions; and it had also proved another fact, that the sense of the country was directly opposed to those rash measures of innovation which a certain party in that House endeavoured to force upon the late Government, and which, in his opinion, had mainly tended to the subversion of that Government. It had been said that this was a question of "Reform, or no Reform," and that it was therefore the duty of every man who called himself a Reformer to turn out the present Government, on account of their former antipathy to Reform. If he had thought so, he would have gladly joined in the attempt to subvert the present Ministry; but in that case he would rather have supported a direct vote of censure upon them than such an Amendment as the present. A direct vote of censure would be a more manly mode of proceeding; for, unquestionably, the disguised object of the Amendment was to expel the right hon. Baronet and his colleagues from office. It was not, however, a question of "Reform, or no Reform." That question had already been decided by the Reform Bill, which had placed such a degree of power in the hands of the constituency that no abuse, no matter in whose hands the Government might pass, that was stamped by public reprobation could be hereafter maintained. He, therefore, was of opinion that what might be called absolute abuses—such as the abuses of the Church in Ireland,—such as the abuses of the Church in England,—such as the abuses of our corporate system, must be abandoned by the present Government or their successors. The sole object he had in rising on this occasion, as the House must have seen already, was to justify the vote which he was about to give; and it might be gathered from what he had already said, that the simple ground of his vote, in favour of the Address and against the Amendment was, that looking at the peculiar difficulties of the country with reference to the state of parties, which were at present nicely balanced, he hardly knew how any Government could conduct the affairs of the country if each party pushed their principles to the utmost, and did not merge their differences in the advantages of their common country. Were they to embark during another session of Parliament in that bitter opposition of party which disqualified them from attending to those subjects that required their immediate attention? Let the stability of the Government be tried by some tangible motion; and, if it be determined that the present Ministry are to have a trial, let them have it; and then, if they did not satisfy the House, returned as it was on the principle of Reform, he would join the noble Lord in a vote praying his Majesty to dismiss them. The right hon. Baronet, in his speech of last night, had not concealed either from himself or from the House that he had accepted office under circumstances of peculiar difficulty. He could assure the right hon. Baronet that no prejudice would induce him to shut his eyes to the great public services which he had formerly rendered the country, or to the conduct—the open conduct—which he had invariably pursued. The right hon. Baronet had so justified himself, he had made it so clear that in taking office he was actuated by a sense of public duty, alone, that he, for one, thought that it would be harsh to the right hon. Baronet, and disrespectful to the Crown, to overwhelm him by opposition before he had a fair trial. He was determined still to exercise a strict control and vigilance over the acts and measures of the present Government, and under such circumstances he felt assured, that in voting for the Address, he and those who thought with him would not be surrendering themselves in blind confidence to the present Administration—on the contrary, complete power over them and their measures would be retained in their own hands, to deal with the latter after a full and patient investigation in such a manner as might seem most beneficial to the interests and happiness of the country. With respect to the charge made against the Government of the right hon. Baronet, the Member for Tamworth — namely, that the course which they were now pursuing was completely at variance with the whole tenour of their former public conduct—he, for one, never could concur in the opinion that, because under other circumstances the right hon. Baronet and those who thought with him had opposed Reform, yet, under the present state of things and parties in this country, they were to be branded as apostates should they venture now to bring forward measures of Reform. The true constitutional doctrine was, that the Ministers of the Crown in every free country must, to a certain extent, be influenced by public opinion, and that whatever the private opinions of those Ministers might be, as in the case of the measure of Catholic Emancipation, and in the Repeal of the Corporation and Test Acts, they must, to a certain extent, yield them, if they thought there was nothing inconsistent with their characters or duty, and, if looking at the state of the country and the condition of Parliament, they felt disposed to bring forward such measures themselves. He was influenced in the course which he was now about to take by the apprehension, that if the present Government fell, there was no possibility in the existing state of parties to form another Administration to succeed them. Looking at the difficulties in which the country was placed—seeing that the whole constituent body had a right to expect that the Representatives of their choice should look to the measures of the Government, certainly with jealousy, but not with a view to eject them from office without trial, it was his intention to give the Address his support. The Amendment did not contain a single point that was not embraced in the Address proposed in answer to his Majesty's Speech, with the exception of the expression of disapprobation of the course which had led to the dissolution of the late Parliament, and therefore in his opinion it came to nothing, especially as he could not concur in that portion of the Amendment. He should be ashamed of himself if his course of conduct could in any way be influenced by a pressure from without, and was therefore fully prepared to give the present Government a fair and honourable trial. That pressure had mainly and most disgracefully been created by the activity of the public press, and though by that organ he and those who felt with him might be branded as traitors, yet he would fearlessly throw himself upon his constituents, in vindication of the course of his entire Parliamentary life, during which he had never joined a factious opposition, and had never been guilty of the inconsistency of expressing within the walls of Parliament an explicit and blind confidence in any Ministry, while out of doors he had endeavoured to support them. As with other Governments, so was he prepared to deal with the present, and the Address now proposed should on all these grounds have his support.

Mr. *Ward* said, that he differed entirely from the hon. Gentleman who had just sat down, and especially upon the grounds upon which he conceived every Reformer ought to be actuated on the present occasion. He must, however, apologize for obtruding himself a few minutes upon the attention of the House, and his main inducement was attributable to the charge which had been made by several speakers of a factious opposition against his (Mr. Ward's) side of the House—a charge which, if not specifically brought forward, had certainly been hinted at last night by the right hon. Baronet at the head of the Government, as applicable to all those who refused to support a Ministry willing to carry out practical Reforms, a Ministry thereby entitled to the support of every honest and conscientious man. The right hon. Baronet had certainly used the words "factious opposition" several times in the course of his speech, to which he (Mr. Ward) had listened with great delight, but which certainly had failed in his instance to carry conviction with it. He certainly had never seen Conservatism dressed out in such fanciful colours, nor the distinction between the two sides of the House so skilfully described, as in the speech last night of the right hon. Baronet. It should be his (Mr. Ward's) endeavour to bring back the question before the House to the real grounds upon which it ought to stand, to show the points upon which the parties in the House essentially differed, and to prove that the Reformers were not actuated by a factious opposition to the right hon. Baronet personally, but from respect to the principles which he had at all times and under all circumstances professed. The difference of opinion between the two parties might be stated under three points, all, however, arising from the same source—namely, the doubt which prevailed as to the power of the Legislature to deal with corporate property at any time. The first point involved the question of the admission of Dissenters into the Universities. The right hon. Baronet had distinctly stated, that the Legislature had no right to exercise a compulsory power over the Universities to enforce this admission. The right hon. Baronet admitted that this restriction was a practical grievance affecting the dissenting portion of the community, which to a certain extent he was prepared to remedy; but the right hon. Baronet did not recognize the great principle from which redress should flow. Neither did he recognize the principle that admission to the national seminaries for national education, should be without reference to sect or to religious opinions, and his only measure of relief seemed to be an arrangement to be effected elsewhere, with respect to admission to the learned professions. The second point on which a difference of opinion arose, was upon the subject of the reform of Municipal Corporations. He must admit that nothing could be fairer than the professions of the right hon. Baronet on this subject; he stated that he wished to wait for the production of the report of the Commissioners of Inquiry before he pledged himself to any specific measure. In this he (Mr. Ward) also admitted that the right hon. Baronet had reason on his side, but was it not notorious that the leading evils of the existing Municipal system in this country, were the vices of total irresponsibility, and the want of popular election, both of which might have been remedied and removed without waiting for the report? He (Mr. Ward) held the Corporations, as they now exist, to be the strongholds of the Conservative interest, and he attributed the non-introduction into those close Corporations by the present Government of popular rights, to what the hon. Member for Knaresborough had last night designated as "an enlightened regard to their own interest." Was there, he would ask, a single Member now ranged behind the Treasury Bench, and representing a populous town, who was not the Representative of a close Corporation. He observed the noble Lord, the Member for Norwich (Lord Stormont,) opposite, and he would ask the House whether there was a single town in the kingdom, except a close Corporation, in which the noble Lord would have dared to make his declaration against Reform? Was there, he would inquire, a single city, town, or borough in the kingdom, except where a close Corporation prevailed, in which the noble Lord would have ventured to state that he not merely hated the thing, but the very name of Reform? [Lord *Stormont* disavowed the words attributed to him]. Then, never was an unfortunate Member of Parliament more grossly belied, as the statement of the noble Lord's speech had appeared in detail in all the newspapers, and such being the case, he was surprised that the noble Lord had not felt it his duty to give a contradiction to a report at once so injurious to himself, and to the Government to which he belonged. The noble Lord had certainly expressed an opinion as if there was something very offensive in the very name of Reform, and it was only in a close corporate town that such a declaration would be ventured to be made. The noble Lord, however, in this respect exceeded the line which the right hon. Baronet at the head of the Government had now taken, for the right hon. Baronet had declared himself to be a good and consistent Reformer—almost as good as any man sitting on the Opposition side of the House, and as such had called for the support of the Reformers. Believing, as he did, the close Corporations to be the strongholds of the Conservative party, he did not think the right hon. Baronet would be able to lead the main body of that party to storm their own fortresses, or to induce them to lay open the strongholds in which, on a future occasion, they contemplated to take refuge. The third point of difference was the question of Ecclesiastical Reform, and particularly an Ecclesiastical Reform in Ireland. With the strong feelings which he entertained on this subject, he did not think he should be accused of factious opposition to His Majesty's present Government, if he withheld his support from that Minister who had declared, in his address to his constituents, that on this subject he had no new professions to make, and that he could not give his consent to the alienation of Church property in any part of the United Kingdom. It was true, that the right hon. Baronet admitted the principle of re-distribution of Church property. This he (Mr. Ward) believed might satisfy the honest Church Reformer in this country, especially if accompanied with an equalization of the Bishoprics to a certain extent, the enforcing residences, and other similar measures; but if the Irish channel was crossed, would it be found that such a Reform would satisfy the people of Ireland? It was impossible by any mode of re-distribution, nicely to poise the burden on the Catholic population in that country, or to reconcile them to a system which was every day becoming more hateful to them, and under which he believed no Government could long exist. The subject was, however, of much too grave a nature to be incidentally discussed, but he hoped it would be met fairly when it should be properly submitted to the consideration of the House. These were shortly the grounds upon which he should oppose the Address, and give his support to the Amendment. The latter contained a distinct expression with regard to Municipal Corporations, and to the effect that there must be a very large extension of popular rights. It had been asked who were to replace the present Government—who would be found to take the helm in these turbulent times, in the event of the Amendment being carried; and a reference had been made by the right hon. Baronet opposite (the Chancellor of the Exchequer) to the incongruities existing amongst the Members on the Opposition side of the House; but were not similar incongruities presented in the heterogeneous elements of which the Ministerial Benches were composed? [*No*]. The hon. and gallant Member for Lincoln (Colonel Sibthorp) said no, but it was somewhat strange to see the hon. and gallant Member joining with the right hon. Baronet near him (Sir James Graham), who had denounced the present Government on the hustings at Cockermouth, and had described their past lives as one continued course of hostility to Reform. Would the right hon. Baronet deny this speech, as the noble Lord (Lord Stormont) had repudiated a speech attributed to him? Such a speech had most certainly been attributed to the right hon. Baronet, and had been published in the newspapers. The right hon. Baronet might, nevertheless, vote for the Amendment, and if so, the charge of incongruity in this respect, at least, would fall to the ground. The right hon. Baronet at the head of the Government doubtless counted on the support of the hon. Member for Knaresborough (Mr. Richards,) who, disbelieving every word of the King's Speech, thought he should be enabled, by some system of pressure, to extort from the right hon. Baronet the repeal of the Septennial Act, and the Vote by Ballot. Hence it was evident, that whatever Government might hold sway, there must ever be a want of unanimity among their supporters on many separate questions. He, however, believed that there could be formed an Administration, able and competent to take the places of the hon. Gentlemen opposite, and which would have the confidence and support of the great majority of the country. He also believed, that the Administration which lately had been dismissed without a trial, would have enjoyed that confidence and support, if their plans had been developed in a Speech from the Throne. The right hon. Baronet, the member for Tamworth, had so far had a trial, and if the Speech from the Throne had declared the intention of his Government to settle the question of the Irish Church, he (Mr. Ward) would have afforded him his support; indeed, he would give it now on those terms. He could not concur in the opinion that, in order to prevent collision, every measure of Reform must either be cut down to the limits set by the majority of the House of Lords, or be given up altogether, and he was not prepared to admit that proposition as a rule for future legislation. He trusted such a rule would be rendered unnecessary, by the House of Lords being brought more in unison and harmony with the wants and wishes of the people. In conclusion, he should support the Amendment, not from any wish to trench upon or infringe the royal prerogative, but because he thought the present Government would not carry out those Reforms which would satisfy the majority of the community.

Viscount *Stormont* rejoiced that the hon. Member for St. Alban's had afforded him an opportunity of giving a denial of the words imputed to him, and quoted by the hon. Gentleman. He admitted that, as had appeared in the papers, he had used on the occasion in question the phrase "he hated the word Reform," but the newspapers had not had the justice, the fairness, the candour, or the charity, to subjoin the remainder of the sentence. He had certainly said that he hated the word Reform, as used by those who sought the destruction of the national institutions—that there was much in the name, much in the word so applied, but that if the word Reform meant amendment of the institutions, then he was himself a Reformer; if, on the contrary, it meant destruction of the institutions, that then he was an anti-Reformer. To these words, and to the sentiment they conveyed, he still adhered. The hon. Member for St. Alban's had asked why he (Lord Stormont) had given no contradiction to the report. It was true that he had read the statement in the newspapers, and had read accusations against himself morning and evening, but he had treated them with the most complete contempt, as he always should treat such observations, feeling satisfied that his place in Parliament was the fitting spot in which to explain and defend his conduct, and set himself right with the country. After this declaration, he trusted he should never hear the subject again introduced. One word, before he sat down, on the subject of close Corporations. The hon. Member for St. Alban's had spoken of Norwich as one of that class. Norwich, however, contained 4,500 electors, who had the choice of the Mayor, of the Sheriffs, of the Aldermen, and of the Common Council. In addition to them all, the 10*l.* householders enjoyed the franchise in the election of the guardians of the poor. Could it then be said that Norwich was a close Corporation? He trusted the hon. Member would not, after this statement, assert that with such a constituency, he (Lord Stormont) was the Representative of a close Corporation.

Captain *Berkeley* said, that at the present momentous crisis it needed no apology from any hon. Member on presenting himself for a few moments to the attention of the House. He had himself been brought up a constitutional Whig, and under the banner of "measures and not men" he would still continue to fight, and should support measures and not men when he thought those measures were for the good of his constituents and of the country at large. Nothing like factious opposition could be saddled upon those who should support the Amendment of the noble Lord the Member for Yorkshire, because the House itself had heard from the right hon. Baronet at the head of the Government, that even if the Amendment should be carried, the Administration would not be upset. He should give an honest, conscientious vote in favour of the Amendment. In the first place, it had been stated by the noble Lord now sitting on the Ministerial side of the House (Lord Stanley), out of those walls that he had no confidence in the present Government, now by the vote he meant to give he only sought to express the same opinion. He had not confidence in the present Government, for though he had heard the speech of the right hon. Baronet delivered last night with so much talent, yet he had heard nothing to convince him that a thorough change had taken place in the right hon. Baronet's sentiments and opinions. The right hon. Baronet had asked if the Government of Earl Grey had not been upset by pressure from without? Perhaps so; but he would ask whether pressure from without would not be still stronger to upset the Government of the right hon. Baronet? The simple question of that night was, "confidence or no confidence?" and upon it he saw no reason why men entertaining generally different principles should not come to the same conclusion. In the Speech from the Throne the subject of foreign policy had been touched upon, and it appeared that the same line was now to be pursued, which had been the constant object of attack; and he would ask how it happened, if peace were to be maintained—if that was the object some time since—that Don Carlos was now in Spain? It was supposed, that Conservative interest and influence, had been greatly used in placing that Prince once more there Denying that there was any thing like factious opposition in the vote he should give, he was induced to take the course he designed to pursue, because he had no confidence that reforms would be carried out sufficient to satisfy him. He would take the corporate monopoly of the Universities alone as a ground to justify him. It seemed that the reforms there were to be left to the mercies of the heads of those bodies, from whom nothing could be expected; and though boons were said to have been offered to the Dissenters, he could not hear it without distinctly stating that those boons were scarcely reforms at all and that the Dissenters expected more, must have more, and would have more. With regard to the Irish Church, he avowed unhesitatingly his opinion that there was nothing in the King's Speech which could lead him to suppose that necessary reforms were intended. He should vote for the Amendment, which was free from violence, and did not trench in any way upon the prerogative of the Crown, and to which every man who wished well to his country could most safely give his support.

Lord *Stanley* spoke to the following effect: If, Sir, I thought that in voting for the Address, I was voting against the principles laid down by my noble Friend opposite (Lord Morpeth) who moved the Amendment, or, upon the other hand, that by giving such a vote I was necessarily pledging myself to place confidence in the Government, which, looking at its composition, I confess I cannot feel—I should have much doubt as to the vote which I ought to give. I cannot, however, concur in taking that view of the question; and I will proceed, in the few remarks it is my intention to offer to the House, to state broadly and plainly upon what ground it is I think that my duty to my country, as an honest man, will be best discharged, and my own principles of Reform best furthered, by giving my vote against the Amendment. In saying this, allow me to add, that I speak not only my own sentiments, but the sentiments of a body of Gentlemen, not insignificant either in point of numbers or station in this House, who, bent upon the sure but steady attainment of certain measures of Reform, are determined to effect our object by no party course of proceeding, but by such a course as in our own unbiassed judgment we may deem most conducive to the end in view. Allow me, in the first place, before I proceed farther, to express my sense of the very able, temperate, clear, and constitutional manner in which the Amendment was moved by my noble Friend. I do not differ from my noble Friend in the doctrines he has laid down, that for the dismissal of the late Ministry the present Government are, constitutionally speaking, strictly and truly responsible; and that it is within the competency and the undoubted privilege of this House to express an opinion, to pass judgment, and even to offer advice to the Sovereign upon the manner in which he has thought fit to exercise his undoubted prerogative—I agree with my noble Friend in his observations on a circumstance connected with that exercise of the prerogative —I mean the extraordinary concentration of power for a considerable time in the hands of one individual. I agree with my noble Friend that the fact of the illustrious individual in question having so unexceptionably used his powers does not of itself justify the act; but that the high talents and character of the noble Duke would render the precedent more dangerous to the liberties of the people of this country, if allowed to pass unnoticed by this House. But I am of opinion, that we should not make further observations upon the subject, under the circumstances, than in the name of the House of Commons to protest against the act in question being drawn into a precedent. Further than that, I think the matter ought not to be adverted to. In vindication of this singular concentration of power, the right hon. Baronet last night cited a case which occurred at the latter end of the reign of Queen Anne, when Lord Shrewsbury held, in his own person, the offices of Lord Treasurer, Lord Chamberlain, and Lord Lieutenant of Ireland. The cases, however, were very dissimilar in their circumstances. What was the state of the country at that time? The Queen was upon her death-bed; there was a disputed succession; a foreign prince was threatening to foment a civil war in the country; and the Queen's confidential Ministers had been for some time carrying on a secret correspondence and intrigue with that foreign prince, whose object was to desolate this country. Those Ministers were afterwards impeached and Lord Shrewsbury, under that pressing emergency, held the three great offices in question, as the best means of consolidating the power of the executive in a period of great peril. I will for the present pass by other topics which have arisen in the course of the debate, and come at once to the question of the Address, and the Amendment which has been moved upon it. There is, I confess, one point in the proposed Amendment for which, if it stood alone, I should feel bound to support that Amendment. I should do so, because, having listened with anxious expectation to the Speech from the Throne, and to the speech of the right hon. Baronet (Sir R. Peel) last night, as to the terms in which the subject of Municipal Corporations was adverted to, I am bound to say, that neither the one nor the other gave promise of anything satisfactory to my mind. I agree, that the right hon. Baronet might think himself precluded by prudential considerations from stating the nature of the intended measures. But I should deceive the right hon. Baronet if I did not tell him, that with respect to the principle and spirit of Corporation Reform, the country has made up its mind; and that the principle and spirit of such Reform are the same as were pursued by the people of this country with so much ardour in the matter of the

Reform of Parliament. I have no hesitation in saying, that my own mind, and that of others in this House, are made up to effect in this branch of our institutions a Reform, having for its basis the principle that Corporation privileges are a trust for the benefit of the people at large, and that they should be placed upon a system of real and true representation, subject to the control of their constituencies. I will not go the length of the hon. Member who seconded the Amendment, in saying that we ought to go so far as the Scotch Corporation Reform; but I do say, that the people of England have made up their minds upon the question, and the omission to take more particular notice of the subject in the Speech from the Throne, and in the speech of the right hon. Baronet, will lead me to look with greater jealousy than I otherwise should have done, on the measures which the Government may introduce on this subject. I have said, that if the Amendment had been confined to this subject alone, myself and my friends would have had much difficulty in offering any opposition to it. We, however, cannot by voting for the Amendment bind ourselves to condemn measures of which we know nothing. And, on the other hand, we do not consider that by voting against the Amendment, we thereby give a negative to each of its propositions. I find in the Speech from the Throne many substantial measures of Reform promised, although by a singular fatality the word itself never once occurs. If this omission were made as a sacrifice to those gentlemen who cannot bear even the sound of the name, I shall not be disposed to quarrel with it. I shall be satisfied to see the promises of Reform contained in that Speech fully carried out in our institutions. While I find myself compelled to say, that the constitution and composition of the present Government are such, that I cannot place confidence in that composition—though I am the last man who ought to quarrel with it, being in some measure responsible for that composition, by having declined to join it—I yet have declared, and do now repeat that declaration, that I will not take any step which, in my judgment, may have the tendency of overthrowing that Government before it has had the opportunity of proving what are its principles. Now I can look upon the Amendment which has been proposed to the Address in no other sense but as a Motion either to overthrow the Government, or else to obtain an idle triumph over it, without any intention of that triumph being followed up by any ulterior steps beneficial to the country. To adopt an Amendment for such a purpose, is not consistent with my views and feelings; and I may further say, that there are expressions in the Amendment itself from which I am called upon wholly to dissent By the terms of one part of the Amendment we are called upon to declare our opinions as to the expediency and the policy of the dissolution of the late Parliament. My noble Friend (Lord Morpeth) has said, that this is a question of far too great importance for this House to blink at, or pass over; and he has appealed to the occasion of the King's Speech in the year 1784, when, as my noble Friend has said, Mr. Pitt objected to the passing over a similar question, and insisted that it was the duty of Parliament to express its sense as to the policy or impolicy of the dissolution which had then recently taken place. But I would remind my noble Friend, were he now present, what was the occasion upon which Mr. Pitt thought it necessary to demand that expression of opinion on the part of the House of Commons. It behoves those who, with my noble Friend, now argue for the necessity of a declaration by this House against the expediency of the late dissolution—I say necessity of such a *declaration*, not who argued whether it was or was not expedient in itself—to look at the circumstances under which Mr. Pitt called for a similar declaration. During three or four months of the previous session, Mr. Pitt had been constantly left in a minority. Resolutions after resolutions had been passed condemning the Government of the day; nay, more, the House of Commons had passed a Resolution declaring that the man who should, under those circumstances, advise his Sovereign to dissolve Parliament, was an enemy to his country, and ought to be proceeded against accordingly. In such a state of affairs, could anything be more natural or necessary than the course adopted by Mr. Pitt, he having dissolved that very Parliament, and, therefore, having been impeached as it were by anticipation by the previous declaration of that Parliament? It was natural on meeting the new Parliament which he had summoned, that he should not be satisfied without counteracting that impeachment by a declaration of the House he had called together. But is there any such necessity existing now for us to express our opinions as to the expediency of the late dissolution? But if there be, have we the materials to enable us to come to an accurate judgment upon that point? Are we acquainted with all the circumstances which led to the necessity or expediency of a dissolution? Do we know all the communications between his Majesty and the various Members of Lord Melbourne's Government at the time of its formation? Do we know all the conversations that passed at the time of their removal? The House will remember that I am not expressing any opinion whether the late dissolution was wise or prudent, or whether it was necessary or unnecessary; but I am objecting now to the adoption of the course proposed, that by way of an Amendment to the Address we should prejudge the question, and declare that that dissolution was unnecessary. I object to accede to the declaration in the Amendment, and to affirm that the dissolution of the late Parliament endangered the subsequent measures which were to be the result of the Reform Bill. If it did, Sir, then the Reform Bill has failed. If the gentlemen who were then in the possession of power, and who were, according to my noble Friend, in the prosecution of measures of useful, temperate, and salutary Reform, have been, by an appeal to the constituency of the country, so weakened in this House as to endanger the progress of those measures, my respect for the Reform Bill and for the constituency is such, that I would rather ascribe that result to some doubt or fear in the minds of the people, that those intended measures themselves were not of so salutary and beneficial a nature as they were said to be, than believe that the Reform Bill will be inefficient, or that the constituency will not do their duty. But, Sir, of this I am confident, that no dissolution of any Government—no constitution of any Administration can, since that great measure was passed—either impede or endanger the course of a temperate, salutary, and comprehensive system of Reform. The hon. Member for St. Alban's, says, that he does not wish to prejudge the question connected with the Irish Church Reform; but that he intends shortly to bring forward the question, and though not wishing partially to discuss it on the present occasion, yet he is desirous of sanctioning the Amendment which, in his judgment, decides the question, and pledges the House upon it. The hon. Gentleman, I think, said, that he wished that subject to be expressed in the Amendment a little more distinctly. Why was it not? Might it not be, that the hon. Gentleman supposed that among those who are willing to Reform the Church of Ireland there might be some—and those no inconsiderable number—who might still object to go the length of that hon. Gentleman?—and yet the hon. Gentleman himself, who has the opportunity of bringing the question forward, and who indeed has given notice to do so, calls upon the House of Commons to affirm that in the Amendment, which he admits to be ambiguous, but which he might afterwards use for the purpose of saying, "the House of Commons have affirmed the principle which I now propose." Now, this is not dealing fairly with the question—a question too important to be so dealt with. The Speech itself promises, that measures shall be submitted to our consideration, and upon which we shall be able to decide whether they are substantial and sufficient or not, upon the subjects of Reform in the Church of Ireland, and of the Church in England and Wales. But the Amendment proposes that we should declare our readiness "to correct those abuses in the Church which disturb the peace of society in Ireland." Now, the right hon. Baronet last night pointed out (and I should be glad to hear an explanation of this subject) the ambiguity which lurked in that phrase. What are the abuses of the Church in Ireland, which "disturb the peace of Ireland?" Does the hon. Gentleman refer to the existence of the system, by which the clergy of Ireland are paid, or does he refer to the circumstance of a Protestant clergy being distributed through that country? The hon. Gentleman would tell you that he refers to the latter question, and not to the tithe question, upon which the Amendment is proposed. But let me remind that hon. Gentleman that it is the tithe question only that can be said to disturb the peace of Ireland. The other question,—that of the existence of a Protestant clergy,—may excite irritation, differences of opinion, and discontent in Ireland; but it is the levy of tithe (that is, it is the evil which is about to be remedied) which so lamentably disturbs the peace in Ireland. The existence of the Protestant Church and Clergy in Ireland is a separate question, to be met upon separate considerations, and I cannot consent to any measure that may have for its object the overthrowing, the impairing, or the debilitating of that establishment. It is, then, upon the grounds which I have now stated, that I feel myself compelled to withhold my assent from the Amendment; because I conceive that by acceding to that Amendment, while we, in the first place, should adopt much with which I should concur, yet we should assert much from which I altogether dissent; because, also, we should introduce questions which we have not had the means of discussing, nor sufficient information upon which to form a judgment; and because, likewise, I believe that the adoption of that Amendment would tend to produce, in the present state of political parties, a consequence most disastrous for the country, and most disastrous for the steady, secure, and immediate advancement of the cause of Reform. I mean the instant overthrow of the existing Administration. That Administration have promised measures of improvement; and I hold myself bound in honour to await the introduction of those measures, and to give them an opportunity to make known to the country the extent of their contemplated reformations. Standing, as I do, entirely removed from them, having, from a sense of duty, declared it impossible for me to join that Government, as it is at present constituted, and standing in a position in which I have no object to obtain, except that of faithfully discharging my duty as an independent Member of Parliament, as zealous for real Reform as I am earnest to prevent destruction. I feel myself compelled, upon the grounds I have stated, and those grounds only, to assent to the Address in answer to his Majesty's Speech, and to object to the Amendment, which, though there is much in it that I consider desirable, at the same time contains much which I think objectionable, and more than in my judgment is either reasonable or safe.

Dr. *Lushington* had listened last night with the deepest anxiety, first to his Majesty's gracious Speech, and next to the speech of the right hon. Baronet the Chancellor of the Exchequer, and he must express his cordial approbation of the right hon. Baronet's having upon that occasion so distinctly announced his determination to take upon himself the responsibility of the dismissal of the late Administration. It was with feelings of extreme gratification that he had heard that great constitutional principle—which heretofore had been controverted in the House of Commons by some of the right hon. Baronet's predecessors — so amply recognised by the right hon. Baronet. This principle being admitted, the next consideration which occurred to him was, whether the right hon. Baronet, in assigning the causes of the dismissal of the late Administration, had stated reasons which ought to satisfy the House and convince them of the propriety of that Administration being so suddenly dismissed. The right hon. Bart. had stated, that the Administration constructed under the auspices of Earl Grey, had met with sundry losses and defalcations, and that, at its dissolution, it possessed not the same talent, weight, authority, or parliamentary experience that it had possessed at the time of its original formation. He was the last man to deny the loss sustained by the retirement of his noble friend (Earl Grey), whom he had followed from the earliest hour till the time he quitted his great parliamentary duties—that is, to the time he left the Administration—and as *he* had said, for ever; but which he (Dr. Lushington) hoped not. He admired and revered the consistent parliamentary life of that noble Lord, and should ever lament his loss. Nor could he do otherwise than lament the loss which had been sustained by the retirement of his noble Friend (Lord Stanley), whose great powers he was ever ready to acknowledge. He did not agree with those who said that the loss of that noble Lord was a benefit to the Administration to which he had belonged, and to which he (Dr. Lushington) had always adhered. That Administration must have felt the loss of that brilliant eloquence, that indefatigable industry, and that high character which distinguished his noble Friend. His Majesty might possibly have felt those losses and might possibly have been counselled to dissolve the Ministry then; but those who then advised the Crown—notwithstanding these great leaders had separated themselves from them—still thought that the Government might be conducted upon the same basis as had existed under Earl Grey, and his Majesty abided by that advice, and determined that it would be most beneficial for the interests of the public to reconstruct the Administration, by placing Lord Melbourne at the head of it. He differed, therefore, from the right hon. Baronet, and would say that the retirement of Earl Grey was not a good reason for the dissolution of the late Government. But what was the reason now assigned for that dissolution? Why, that Lord Althorp by the death of his father had been removed from this to the other House of Parliament. Was not that a circumstance within the direct limits of probability, in the minds of all persons, when Lord Melbourne's Administration was formed? And would any man tell him that that Administration was formed upon the condition that when Earl Spencer (who was at that very moment expected to be on his death-bed) should depart this world the Administration should cease? Any man at that time could predict that Lord Althorp would not long remain in the office of Chancellor of the Exchequer; but no man would then have asserted that the existence of the then Administration depended upon that noble Lord's continuing to hold that office, and that the Ministry was to expire when Earl Spencer died. Another reason assigned for the dismission of Lord Melbourne's Administration was, that it had lost the confidence of all parties, and also a great portion of that of the Parliament; and what was the proof which the right hon. Baronet had produced to support that reason to the satisfaction of the House? He had read to the House a letter written by the hon. and learned Member for Dublin, dated (Oh! tell it not in Gath!) at Derrinane Abbey. Had ever any man elevated the hon. and learned Member for Dublin as the right hon. Baronet had done? He had assigned to that learned Member the power to make and dissolve Cabinets. That hon. and learned Member wrote a letter from Derrinane Abbey to Lord Duncannon, and according to the right hon. Baronet, such was the influence and power of that letter, that it was the cause of extinguishing the Administration of this country. He would willingly pay his humble tribute of praise to the talents of that hon. and learned Member. He knew the power and influence of that hon. and learned Gentleman over the minds and hearts of his countrymen; but he begged leave to assure the right hon. Baronet that means might have been found, notwithstanding the publication of that letter, to have sustained the Melbourne Cabinet in that House. He would also speak a word or two upon the question to which the noble Lord opposite (Stanley) had alluded, and which was the next important step which was taken at the time Lord Melbourne was so suddenly desired to resign office; he alluded to the union of all the powers of the State in the hands of the Duke of Wellington. The noble Lord had protested against that step in what the noble Lord called a Parliamentary point of view, and against its being made a precedent hereafter. But would the House be contented with any protest against the establishing such a precedent which did not form part of its records. Was there no man of ability and influence in that House who would take upon himself to propose a resolution to the extent, that such an experiment should never be made a precedent? The step to which he alluded had been attempted to be justified by a reference to the example said to be set by the Duke of Shrewsbury in former days. But a precedent meant this—that the same thing should be done, and that under similar circumstances to those under which it had formerly been done. Now, he first would deny that it was the same thing; for he denied that the holding of the offices of Lord Chamberlain, Lord High Treasurer, and Lord Lieutenant of Ireland, in the person of the Duke of Shrewsbury, was to be compared to the combining of the offices of the First Lord of the Treasury and the three Secretaries of State, at once in the person of the Duke of Wellington; and for this obvious reason, that the Duke of Shrewsbury shared with other persons the responsibility; but the Duke of Wellington had no one associated with him, except the Lord Chancellor, when he received the Seals. Suppose at the period in question, news had been brought of the advance of Don Carlos into the heart of Spain, the next post had brought the information of an insurrection in the West Indies, and another letter had given the intelligence of a disturbance in Ireland? He asked whether there was any one human mind that could have properly attended to the great and responsible duties which those several events would require to be discharged by the Secretaries of State for Foreign Affairs, the Home Department, and the Colonies? He had been told by a Colonial Secretary of State, that the multifarious duties of that office were so great, that his utmost exertions were unequal to their adequate discharge, and could the Duke of Wellington, or any other man, attend to them, and to the Foreign office, and to the Home Department at the same time? He begged to say a word as to the ground on which he intended to give his vote. He could not take to himself the credit that some hon. Members had done, of not being a party man. He had ever been such, and that upon principle, and such he believed he should remain.—He had attached himself to that party which he, in his conscience, believed to profess the purest principles, and had followed them, as far as he could, in matters of importance in which he agreed with them, differing only in some points upon which he felt compelled to depart from them. The principles of that party he felt bound to maintain, as being, in his mind, best calculated to advance the great end of good Government. It was said, that a union and combination had been made against his Majesty's Government, without just reason; that those who opposed the Government, without giving them a fair trial, had combined, notwithstanding that their opinions and principles on many points differed. First, he would defend the course from precedent, and next upon principle. They were not so old as to forget the union of Mr. Fox, Mr. Pitt, and Lord Grenville, with whom the right hon. Gentleman opposite then acted, for the express purpose of turning out a Ministry. He would contend, that a greater difference of opinion existed on subjects of the greatest importance, between Mr. Fox, Mr. Pitt, and Lord Grenville, than among those parties who were now united against the present Government. [*"No! no!"*] The right hon. Gentleman said, "No!" He (Dr. Lushington) was astonished at that denial. He knew not of one single great measure upon which Mr. Pitt and Mr. Fox agreed, unless it was the measure calculated to overturn the then Administration; they had been for years opposed to each other, but that difference of opinion was no objection to their union. A period might come when parties, whether Tory or Whig, or whatever other description they might bear, might consider that the great interests of the country were so endangered by the acts of Government as to justify them to combine for the purpose of obtaining an Administration able to protect and improve those interests. Did not he (Dr. Lushington) recollect, that a Member of the present Administration (Lord Wharncliffe), when a new Administration was about to be constructed, after the death of Mr. Percival in May 1812, made a Motion in the House of Commons praying his Majesty to be pleased to form a strong and efficient Administration? Did not the noble Lord then use these words:—"This is in no respect a new question; it has been decided upon before; in 1803, the present Government has been tried and found wanting?" Persons of all parties —Lord Wharncliffe at the head, the right hon. Gentleman now at the Board of Trade, and the right hon. Gentleman, now Chancellor of the Duchy of Lancaster, and many others—then united in voting, that the Administration then about to be formed, had been tried and found wanting, in consequence of their want of ability several years before. Now, when he (Dr. Lushington) spoke of the present Administration he could not separate it, in his mind, from the Administration of 1830. He could not believe, that the bringing in of Earl de Grey in the room of Earl Melville, and the putting out of Mr. Croker, and the putting in of Mr. Dawson, were sufficient to prevent the identity of the present with the then existing Government. Now, the Government of 1830, had, by a majority of the House of Commons, been strenuously opposed; he, therefore, could not trust it now. How could he trust that right hon. Baronet to make those great Reforms now, who, for years had the power to make them when they were equally necessary, who was able to destroy those abuses when they were equally aggravated, and yet took no step whatever to remedy any of those abuses either in Church or State. What act had they done then or since, which should entitle them to the character of a Reform Administration. But the right hon. Baronet had endeavoured to induce the House to cast a more favourable eye upon his Administration, by saying to the House, "Remember, we are supported by the House of Lords. They will receive at our hands measures of Reform, which at your instance would have been met with a haughty refusal." What is this? What is the meaning of that declaration? Tell it to the country. Tell it to your constituents. Tell them, that henceforth it is not the people of England—it is not the House of Commons who are to stamp their approbation of the men from whom the selection of Ministers shall be made by the Crown in the exercise of its prerogative; but tell them that that Administration which stands not upon the approbation of the House of Commons, but looks to the House of Lords for support, shall have power to rule the country—that that party —despite the sense of the people—despite the majority of the House of Commons, shall possess the Government of the country. A more frightful course could not have been followed. The right hon. Baronet had endeavoured to show, that the late Government was not popular. Whatever that Government might have been, he was well assured that the present Administration had not the confidence of the great portion either of the electors, or of the people of England. They had not the confidence of Gentlemen on the Opposition side of the House; they had not the confidence of the noble Lord opposite (Lord Stanley), or those who acted with that noble Lord. Whose confidence had they, then? They had the confidence of the high Tories, and of the high Tories only. He had himself no conception of the extent to which the determination to get rid of the present Administration had gone, till he went among the people. He spoke now of places which he knew, of the great City of London, of the vast wealth of that great city. He would ask those who spoke of the popularity of the Tories, to look to the district which he himself had the honour to represent—a district having a population of 370,000 souls. But if they wished to demonstrate the feelings of the metropolis, for God's sake let them look to Finsbury. To those who endeavoured to depreciate the characters of the Gentlemen representing that extensive district, he would say, that just in proportion, as they depreciated the characters of those Members, in that proportion did it appear, that the Borough of Finsbury would rather have any Member than a Tory. There was no instance of a dissolution taking place, without the Ministers having met the Parliament. When, in 1784, Mr. Pitt met the Parliament he found that there was a majority of twenty against him, and he said that that Parliament did not truly represent the people. He accordingly dissolved them, and his words proved true; for the result was a majority of 100 in his favour. Now, unless the Ministry, meant to contend that the sense of the country was represented by an unreformed, and not by a Reformed Parliament, he could not see how they could contend that the present Parliament was not a true representative of the feelings and wishes of the people. The Government had struggled in vain to gain the noble Lord—the noble scion of the house of Derby—over to them by adulation. Nothing could equal the adulation heaped upon the noble Lord. The hon. and learned member for Ripon (Mr. Pemberton), addressed him as the Weird Sisters did *Macbeth*. "'Hail Minister that shall be!' Save, oh save us in our misery! As thou art powerful, be merciful!' 'Oh, hard-hearted Lord! flinty Statesman! hast thou no pity? You have risen, and in your speech, which was spoken in the mildest and smoothest terms, you have declared your total want of confidence in the present Government?'" No, unlike the hero in the drama, the noble Lord was not betrayed by the blandishments of the Weird Sisters to his own destruction. Let the noble Lord remember the honour of his family. Let him remember the honour of those ancestors, who so gloriously fought for the freedom of their country; and he called on the noble Lord, though entreated, to let no blandishments induce him to give his support to those against whose principles, he had strained his might to insure the tranquillity of the country. Let him not give his support to a Ministry with whom he held no principles in common; and that in opposition to a set of men from whom he differed on one question only—namely, the question of Church-property. The hon. and learned Gentleman then said he should not have trespassed so long upon the time of the House, but that he did not think he should be doing his duty if he did not express his total want of confidence in the present Ministry. That want of confidence he entertained in common with a majority of the House, without which it was impossible that any set of Ministers could carry on the Government with advantage to the country. He might take that opportunity of noticing some observations which the hon. Member for Lincoln had directed against him personally. It was not his intention to honour the hon. and gallant Member with any particular notice. If the House knew all that he said elsewhere, how he began, and how he ended, they would not be disposed to censure him. What he then said, had been said a hundred times before, and he was now prepared to abide by it. In order to show that he was not actuated by the feeling] which had been ascribed to him, he might remind the House, that although he was one of the late Queen's counsel during the trial, and in that character had an opportunity of giving utterance to his feelings, he obtained the eulogium of the Earl of Eldon, who said that he had not spoken a syllable more than his duty required. It might be remembered, that he was the executor, and the confidential adviser of the late Queen, who confided all her secrets to him, and he asked whether he had ever for a single moment allowed the public to know any circumstance relating to her domestic affairs, or even spoken disrespectfully of any of the Royal Family? In one instance, with regard to the late King, he went out of his way to prevent publicity being given to a transaction, which he thought might raise a prejudice against that Monarch. He hoped, that those who knew him, and had watched his conduct, would not give credit to any reports which had appeared in newspapers or elsewhere, affixing upon him culpability, which he knew in his conscience he was innocent of.

Mr. *Winthrop Praed* said, that, in the course which the hon. and learned Gentleman had thought proper to pursue, he had forgotten himself, and had deviated from the usual custom of the House; and, in replying to some observations respecting some address made by him in his capacity elsewhere, the hon. and learned Gentleman appeared to have justified himself on the propriety of the course which he adopted in his capacity of an advocate in the House of Lords. Whatever intemperate expressions that hon. and learned Gentleman might have used as the advocate of Queen Caroline, he, as a far less distinguished member of the bar, but at least as a junior member, gave him the indulgence which the venerable Earl Eldon extended to him. But he would not be led away to give any excuse or indulgence to the grossly intemperate address, made to an already inflamed constituency. It was such conduct as this that produced fearful danger; it led to allusions to subjects in which they had nothing to do. He left the address, however, to the constituency to fight for itself. The hon. and learned Gentleman had found fault with the reasons which had been given last night by the right hon. Baronet for the dissolution of Parliament; and to that part of his speech he (Mr. Praed) proposed to call the attention of the House. In the first place, the right hon. Baronet had stated that the dissolution of Parliament was caused by the secession of the late Ministry; secondly, by the removal of Lord Althorp on the death of his father; and, thirdly, by the memorable letter of the hon. Member for Dublin, addressed to Lord Duncannon. The hon. and learned Gentleman had grossly misrepresented the argument of the right hon. Baronet, when he stated his reasons for the dissolution; because the arguments of the right hon. Baronet was to show, by a series of cases, that, in the state of things, his Majesty was justified in dismissing his Ministry. Hon. Gentlemen asked not why the Government were dismissed, but how they were dismissed. But, in the event of the removal of the present Ministers, what support would they have then? Would they have the support of the popular party? Let them refer to the letter of the hon. and learned Member for Dublin, to prove that that was not the party of which Lord Melbourne would approve. The hon. and learned Gentleman had alluded to other circumstances by which Lord Melbourne's Ministry were dismissed, and yet he appeared to depreciate the value of the services of those who had seceded from it, namely, Lord Stanley, the Duke of Richmond, Sir James Graham, and the Earl of Ripon. Did not the hon. and learned Gentleman believe that a large part of the confidence which was reposed in that Government, by a large portion of the country, was owing to the presence of those very Members of the Government? But still more surprised was he to hear the hon. and learned Gentleman attempt to depreciate Lord Althorp's value, because Earl Grey, of whose Government Lord Althorp formed a principal part, refused, without the presence and assistance of Lord Althorp, to do that which the Melbourne Ministry was ready to do. Earl Grey had stated to the country, after the loss of Lord Althorp, that it was impossible to carry on the affairs of the country; and, subsequently, when Lord Melbourne was placed at the head of the Cabinet,—a nobleman of considerably less experience and less consequence in the country—when this was the case, was it not to be conceded that Lord Althorp was so absolutely necessary, that, at least his loss was a matter of considerable importance? Under these circumstances, his Majesty determined to dismiss the Administration, and he had not heard anything to shake his conviction that that was a good and wise judgment. He had listened with great attention to the remarks of the hon. and learned Gentleman, because the noble Lord who agreed with them on that side in no small degree, and in more temperate terms, expressed his disapprobation of concentrating so many offices in the person of the Duke of Wellington. Now, he would say no more on the precedents quoted by the hon. and learned Gentleman; but he would suggest to the House other precedents of more recent date. The hon. Member then cited the instance of Mr. Canning on 12th April, 1827, who was invested with the offices of First Lord of the Treasury and of the Secretary of State, Lord Dudley, Mr. Sturges Bourne, &c., not being gazetted as Secretaries until the 1st May; and he justified the proceeding with reference to the Duke of Wellington. But it might be said, in answer to this argument, that at the time of Mr. Canning holding these various offices, such an interregnum as that which occurred in the case of the Duke of Wellington was not contemplated. But he would answer that positive proofs were existing having reference to the case, which would establish the fact, that the argument, if good in one case, must be so in the other. Now, for his own part, he believed that the hon. and learned Gentleman was wrong in stating, that the right hon. Baronet waived the constitutional question as to where the responsibility should rest. But he hoped that he would be ready, when called upon, to say that the responsibility would rest upon him; and most reluctant, he was sure, would the right hon. Gentleman be to give up that responsibility. The hon. and gallant Member for Westminster had asked whether they believed the House of Commons, in the two last Sessions, had been so distinguished by the useful and generally beneficial measures it had adopted, as to be entitled to public confidence and regard? If he went back, he might be able to form some opinion of the estimation in which it must have been held by the country, from the Bills he would find enumerated among those which it had passed. Among the first of these was the Irish Coercion Bill, as also one bestowing 20,000,000*l.* of the public money to carry into effect the principle adopted by the late Administration for the manumission of slaves. There were, likewise, the Poor-laws Bill, which placed several millions of people at the disposal of seven Commissioners. If the Members of that House had gone before their constituency, and detailed such acts in evidence of their claims to public support, would they have been again sent back to that House? The hon. Member for Tipperary, on a former occasion, did not sustain the claims of the late Parliament to a prolonged existence, for, arguing in favour of a shorter duration of Parliament, he expressly put the question,—"What—if the present Parliament were to continue six years,—what have they done?" Thus was it put by the hon. Member; and yet, because the advocates of long Parliaments resorted to a dissolution, hon. Gentlemen opposite were displeased. Had not that Parliament sat the full portion of time required by those who advocated Triennial Parliaments? The dissolution surely met their views in that respect. They had all the advantages of the principle which they so strenuously advocated, and which the hon. Member for Tipperary wound up his support of, on the ground that "short reckonings made long friends." There were, however, other considerations which rendered it desirable that the existence of the late Parliament should be of as short a duration as possible. Under the Reform Bill there was an admixture of new and old constituencies, the former of whom, for the first time, exercised the important privilege of sending Members to that House. These had not the benefit of experience, or of forming their opinions by what they had seen done, and, therefore, were liable to mistake. Besides, the election had taken place at a time when the excitement incidental to the discussion of the Reform Bill had not yet been allayed, and when it was impossible, from various feelings, for the constituents to exercise a rigid and impartial discrimination. He put it to the House, if many hon. Gentlemen had not been elected, not for their superior attainments or eminent capacity, but in gratitude—he would say, praiseworthy gratitude—for the great exertions they had used to carry the Bill, which had invested the new constituency with the franchise. In the borough he had the honour to represent, the constituency of which was composed partly of the members or freemen of a Corporation, and partly of 10*l.* householders, he was met at that time, in many instances, with the answer,—"I have got my vote through the exertions of that Gentleman, and I am bound in gratitude to exercise that vote in his support." Whatever changes, therefore, had taken place, it might fairly be considered that the late Parliament was elected under such circumstances as precluded its representing, fully, the intelligence and interests of the country. They had heard it repeated by that part of the late Government which was denominated the Conservative portion, that the wealth of the country was not fairly represented in Parliament. The experiment was made to ascertain whether that were the fact, not by taking advantage of a popular fervour in favour of the Administration. No: his Majesty appealed to the sense of his people, at a period of perfect tranquillity, when no great question agitated the public mind, and when the prejudices that had previously swayed the people had subsided. Well, what was the consequence? He put it to the hon. Gentlemen opposite, who were so satisfied with the issue of the late division, and were no doubt indulging in sanguine anticipations of future majorities, if the present House of Commons represented the sentiments of the country? Would they deny that it did? If, then, it did, the late House of Commons certainly did not. He put it to the House, if the minorities on his side did not exceed by two to one what they previously were? Did not this fact, then, prove that the former Parliament did not represent the views of the country, and that, consequently, its dissolution was just and requisite. He was not well acquainted with the statistics of that House, but he was informed by those who were that there were in the present Parliament 200 Members who had not been in the last. Of these 100 had never before been in Parliament, and the other 100, though not in the last, had been in former ones. If in such proportions a change had been made in the representation, how was it possible to say that his Majesty was not justifiable in appealing to his people, as he had done, at a period totally free from public excitement? The hon. Member then proceeded to say, that, with respect to the Amendment, if it had been proposed as the Address to the Crown, it would have been opposed for its vagueness by the noble Lord, the Member for the Northern Division of Yorkshire. The Speech from the Throne was far more definite: for instance, on the Irish Church. Why did not the noble Lord point out the abuses in the Irish Church to which he so generally and ambiguously alluded, and, likewise, suggest the steps to be taken for their remedy? With respect to Corporate Reform, the object of hon. Gentlemen opposite seemed to be, as expressed by the noble Lord, the Member for Yorkshire, to destroy the principle of self-election. He suggested to the noble Lord the necessity of using more applicable and strictly-defined terms. They all recollected the misapprehensions that arose from the application in another instance of the simple word "extinction." The phrase "self-election" might be very intelligible to the noble Lord, though it might be very questionable in the opinion of others; but, perhaps, the better course would be to avoid altogether the mischief of pronouncing on a question that had not undergone the investigation which was necessary before they came to a decision. He had stated that he and his hon. Colleague represented a constituency composed partly of freemen of the Corporation, and partly of 10*l.* householders. Before these he appeared as a supporter of the right hon. Baronet's Government. There were amongst them many gentlemen of great wealth and intelligence, who were by no means the devoted or bigotted supporters of abuses in our political system, but who were as consistent and firm supporters of Corporate Reform as any hon. Gentleman on the opposite side of the House. Although he had not pledged himself to the support of Corporate Reform in any shape, he had no hesitation in saying that neither he nor his hon. Colleague would hold the places they did in that House, if the independent constituency they represented did not thoroughly believe that the right hon. Baronet would give a temperate and fair consideration to that as well as the other questions to which the country expected the attention of Government would be directed. Indeed, he did not know to what extent or character of Corporate Reform he could pledge himself. In some places the present system was not so narrowed in its operation as in others. In Norwich there were 4,000 freemen. The constituency amounted to nearly the same number, there being only 300 ten-pound house-holders, so that the constituency were identified with the corporate franchise. Now, if he were fixing on a system, should he (and he had been asked if he would) fix on that of Norwich as a model? He supported the Address in the first instance because the Amendment was less definite; and in the next, he reposed entire confidence in the right hon. Baronet, whom he had not found an anti-reformer, although he had not coincided in the organic reform of that House. The right hon. Baronet, he was satisfied, would consolidate public opinion by a wise and honest Administration, not propitiating the support of the hon. Member for Dublin.

Mr. *Sheil* said, the hon. Gentleman who had preceded him had endeavoured to confound the Administration of Lord Grey, when comprising four Members of the Cabinet who afterwards left it, with the Administration which was afterwards composed under the leadership of Lord Grey when those Members had retired, and a third and distinct Administration, which was composed by Lord Melbourne, upon the express understanding—he should rather say the distinct declaration—that upon the result of the Church Commission for Ireland would depend the measures they would propose, and the effect of which should be a new appropriation of the surplus revenues of the Established Church. Between the two Administrations, therefore, there was a most essential difference. The last had not used vague and indefinite expressions, but they had pointed out the exact limits to which they would go. The difference consisted, on the one hand, in an approbation of a new distribution of the revenues of the Irish Church; and, on the other hand, in a determination to see those revenues applied to the same channels in which they had hitherto been distributed. This, after all, was the point upon which they differed. He believed that upon this question it was that the present Premier had thought it advisable to dissolve the Parliament. The right hon. Baronet had not put the dissolution upon any such ingenious, not to say fantastic grounds, as those which had been alleged by the hon. Gentleman. He never heard from the right hon. Baronet a more able or a more frank statement of opinion than that which he made on the last night. He was unambiguous, unequivocal—nothing was hid, nothing evasive; he stated frankly what his conduct had been, and what it was to be, and he was willing to try the right hon. Baronet by what he proposed to do, rather than by what he had done. Upon the conduct of the right hon. Baronet during the discussion of the Reform Bill, he, for one, did not place much reliance. He had admitted that a great political revolution had taken place; and he confessed that, afterwards, between his conduct and that of his party, he saw a clear distinction. The right hon. baronet had last evening distinctly enumerated the measures on which he had supported the late Administration; and from that enumeration they had doubtless gathered the fact, if they were not previously aware of it, that he did support those Ministers because they (the Opposition) opposed them. He would not say that the right hon. Baronet stretched out to the late Government the hand of sinister assistance, or that he struck at them a dexterous blow. But, unfortunately, it was upon questions where the late Administration was most strenuously at variance with a large mass of public opinion in Ireland, and a considerable portion of public opinion in England, that the right hon. Baronet tendered his assistance to the late Administration. What in fact, was it that the right hon. Baronet opposed? Did he not oppose the abolition of Church rates in Ireland? [The *Chancellor of the Exchequer*: No, no.] Surely the right hon. Baronet opposed a Bill which contained provisions for that object —namely, the Irish Church Reform Bill.

The *Chancellor of the Exchequer*: I gave my distinct opinion in favour of the abolition of Church-rates in Ireland.

Mr. *Sheil* said, he spoke with the utmost sincerity when he said, that he had the greatest satisfaction in being corrected upon this point. Did not the right hon. Baronet (continued the learned Gentleman) oppose any diminution of the revenues of the Bishops and the number of bishoprics, which the noble Lord, the Member for Lancashire so strenuously advocated, as to lead for a moment to the belief that he was a strong and earnest Reformer? And if the right hon. Baronet did not oppose the abolition of Church-rates in Ireland, were the Dissenters of England furnished with no argument in favour of a similar measure for this country. For what reason, then, was the Address silent upon this subject? Was anything to be done? Why, when there was a specification of the intentions of the Government as to the marriage of Dissenters, was this other grievance, which affected them wholly, overlooked? Again, did not the party to which the right hon. Baronet belonged oppose the Bill for the Amendment of the Administration of Justice in Ireland.

The *Chancellor of the Exchequer*: It was never opposed by me.

Mr. *Sheil*—No! but he spoke of the party, and might not the junction of the right hon. Baronet with the party be taken as some evidence of the policy to be adopted by him, or in any event, as an argument against silence upon such points, when he comes before the country with a desire to set his future policy against his past conduct. They needed something better than vague promises, for deception lurked in vagueness. He must next say, that the grounds which had been alleged as the causes of the ejectment of the late Administration had no solidity; that it was absurd to attribute it to the vacancy in the leadership in the House of Commons, occasioned by Lord Althorp's elevation, since the House was not then sitting, and did not therefore require a leader; and that it could not have originated in the measures regarding the Church of Ireland, since the Commission of Inquiry had been issued, and all other preliminary steps taken, long before. What, then, was the reason for the dissolution? Many insinuations had been thrown out, but no distinct reason had been given, and all they knew was, that the Duke of Wellington became Prime Minister. But could no other Premier have been selected? If the Melbourne Ministry was broken up on the Church question, why was an application not made to the noble Lord the Member for South Lancashire, or why was the country compelled to await the return of the right hon. Baronet? But who, let him further ask, had been chosen as his associates to form the Government? Were they not individuals of whom he need not say anything more disrespectful than that they were conspicuous for the strenuousness of their opinions upon the Church question? Look again to the course of policy adopted with respect to Ireland. He admitted that the Lord Lieutenant and the Chief Secretary were, perhaps, among the persons most eligible that could have been selected, but it was also clear that the Government had found itself under the necessity of associating with them the party commonly called Orange—a party upon whom there was a mark and a character set which could not be mistaken. The hon. Member for Sligo, for instance, had been chosen as an object of their favour; and though, far from complaining of it personally, for it was a matter of pleasure to him, yet it was an unfortunate indication of the course of their future policy. Thus with sixty-two, the great majority of the Irish Members on the one (the hostile) side, the right hon. Baronet had committed himself to the cause of a devoted few on the other. And were all his glorious efforts in favour of Catholic Emancipation thus to be blotted out and forgotten? Were the results of the Reform Bill to be lost as far as regarded Ireland? There were at least fifty-three Members for Irish constituencies, who called for and demanded a new appropriation of Church-property in Ireland. Let, then, the hon. Baronet choose between them, whether he would elect as his allies the minority or the vast majority of Irish Members. Ireland had been the ruin of many Administrations. It had destroyed the Administration of Mr. Pitt, and of Lord Grey in 1807; in 1812, it produced the destruction of the Government; in 1822 it caused a change in the Government of Ireland, and severed the connexion of the right hon. Baronet with Mr. Canning. The Church of Ireland had broken up the Government of the Duke of Wellington—it caused the dismissal of four Members from Earl Grey's Cabinet—it shook to its centre the Melbourne Cabinet—and it was destined also to destroy the present Administration.

Mr. *Lechmere Charlton,*[*] after apologising for presenting himself thus early to the House, said that the few remarks he should have to make arose in a great measure from what might, peradventure, be considered a frivolous reason, viz. from the want of a proper understanding of the meaning of one word. He alluded to the word "Reform," which was supposed to be a panacea for all evils—a word somewhat akin to charity, which covered a multitude of sins. If by Reformer was meant a general Reformer of all abuses he was himself at once a declared Reformer; but if that name was intended to imply an advocate of Ballot—of Triennial Parliaments, of the admission of Dissenters to the Universities; then he was not a Reformer in so flagrant an abuse of the word. Even Gentlemen who are advocates for the dismemberment of the Monarchy, and persons calling themselves Whigs, are now-a-days united under the convenient name of Reformers, as if Whigs and persons desirous of dismembering the Monarchy were synonymous. "Against any such doctrine I protest, having imbibed my principles of Whiggism from the early part of the last century, when the principles of Whiggism were laid down, and which consisted, if I remember right, of freedom of election, loyalty to the House of Brunswick, toleration to Dissenters, and the fullest security to the Protestant Church." The hon. Gentleman who had just sat down seemed to have put himself very much beside the question, and in that respect he had only followed in the wake of many hon. Gentlemen on the other side of the House who had preceded him. That hon. Gentleman said, that he had not yet heard any reason given respecting the dismissal of the late Ministry. He admitted, that no reason had been given; and he would at the same time take the liberty of telling that hon. Gentleman that he did not consider the present the proper time for mooting that point. He believed the question before the House was, whether hon. Gentlemen would vote for the Address or for the Amendment; and, therefore, all the questions of Municipal Corporations—of the admission of Dissenters to the Universities—of the Irish Church—appeared to him to be at present totally irrelevant. He was a Reformer of all abuses—he called himself a Whig on those principles which he had adduced. When he considered how much the real interests of the country, how much the tranquillity, the social order, and happiness of the people were involved in the maintenance of the established religion, the true and the sole bond of harmony among the people, he would never consent to any measure, proposed by any one, no matter by whom, that would lead to the diminution of the influence and power of the Protestant Church, which was in this empire the great Seal and binding principle of true Christianity among the people. He cared not who assailed the Church, he would uphold the Church; he would not look to parties or men, but would keep a steady eye on that venerated, venerable, and useful institution, and would support it to the uttermost extremity, for by so acting he felt in his heart persuaded that he was pushing onward the great principles of good Government, wholesome subordination to the sway of the laws and preservation of the allegiance due to the Sovereign. The outcry raised against the Church he considered, in its essence, infidel, and in its tendencies fatal to our civil Government. Again, he would say, and by saying so, he only echoed the sentiments of his constituents and the majority of the reflecting, sound, and well-conditioned portion of the British people, they valued their Church, and were resolved to defend it against the attacks of its open enemies, and the more dangerous insidiousness of its professed friends, but who were, in truth and reality, its lurking, clandestine opponents. He would vote for the Address, because he thought it echoed the generous sentiments of the King, and gave an earnest of the disposition of Government to promote every salutary measure of retrenchment and Reform that could be useful to the best interests of the nation. In the Amendment insinuations were conveyed which led him to the conclusion that a blow was meditated against the Protestant Church which he would labour with all his might to uphold; for by upholding it he conceived he was preserving one of the strongest ligaments between the Throne and the people. The people were attached to the Monarch as the head of the Established Church, as the chief dispenser of justice, and the author of prosperity, liberty, and happiness to the people; and he was sure they would support the Monarch in his praiseworthy efforts to maintain, in their wonted stability and power, the consecrated institutions of the State. The seeds were sown in the last Parliament for undermining the Protestant Church in Ireland, that Church by the influence and power of which the maintenance of the connexion with Great Britain alone depends; but, so far from aiding such a system, that must promote the progress of disaffection, agitation, and convulsion in Ireland, he would ever strenuously labour in its defence, and oppose with all his might what would, in any degree, impair its efficacy or durability.

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[*] Owing to the confusion which prevailed, this is merely an outline of the hon. Member's speech.

Mr. *Henry Grattan* said, the sentiments of the majority of that House, and of the constituents of the empire, were opposed to the Address. The people were resolved not to tolerate the present Ministers, and the Address was but an attempt to stifle the independence of the country. The question at issue was not merely an Irish question, or an English question, it was an European question. It was, whether the principles of liberty were to be supported for the furtherance of good government and general improvement, or whether the principles of despotism should be strengthened by the acquisition of power. He had no doubt that Ministers and their satellites would labour to make out as good a case as they could for upholding the doctrines and measures which they meant to palm on the country, but after all, it was nothing but a specious imposition. What was intended to be done in the question of the Corporations, the Dissenters, and the Irish Church? These subjects were referred to by the Premier, with a faint promise of amelioration, but without any guarantee that Reform would be granted in its full and satisfactory sense. There were high authorities for introducing Reforms in the Irish Church, the authorities of two Lords-Lieutenant, Lords Wellesley and Lord Anglesey. Their letters in 1832 and 1834, to the Government referred to the Irish Church, and they stated, that there must be not only a change in the tithe system, but a Reform in the Church Establishment. Well, what Reform had the Government given but Reform by the bayonet and the military? The proceedings of Rathcormac ushered in their Administration. The offence of the late House of Commons, which led to its dissolution, was that it was friendly to liberal measures. When the present Government asked for a fair trial, he would beg to know what fair trial to the Melbourne Administration was given by the Tories? They called on all the counties, cities, and towns to express their opinions, and what had been the result? In Ireland the opinion was decidedly against the Government, so it was in Scotland, and in England the people were against them; thus, a decided majority of the representation thought not. The same spirit was now awake and in active operation in Ireland that ejected Lord Fitzwilliam from office in 1795, and contributed to the change from the Duke of Bedford's Government in 1807. It was said, the present Government was not tried. What other Government had been tried in Ireland but a Tory Government for the last forty years, with the exception of the Duke of Bedford's Government in 1806, and part of Lord Hardwicke's? Gentlemen connected with the present Government had avowed themselves Orangemen. What was an Orangeman but an enemy of the Roman Catholics? The present state of Ireland was such as to render the country scarcely habitable. Discord pervaded it; no man could sit at his fire-side and say he was content, or even secure. Lord Castlereagh said it cost 350,000*l.* to quell the disturbances in 1822, it would take more than 350,000*l.* to quell the next. That country was approaching to a state of civil war; no order, no respect for institutions or property. He would tell hon. Gentlemen opposite, that the Orangemen burned the houses of the Catholics in the North. They burned houses of Lord Charlemont's tenantry, and of the estate adjoining. Let his Lordship be brought forward, and he would attest the fact. When the hon. Baronet talked of renegades and apostates, he should have recollected who had called him apostate or renegade—his own party—the Orangemen! and by them his own brother-in-law was burned, and hanged in effigy, for being a renegade from the principles of Toryism; in fact, they, and not the right hon. Baronet, governed Ireland, and the late appointments are a proof of the spirit of their Government. The right hon. Baronet used two significant words in his speech; they were large words—"Church and State." Now these in Ireland meant nothing else than Protestant ascendancy. The present Lord-Lieutenant of Ireland attended the theatre amidst the strongest demonstrations of his party. He was cheered by the Orangemen and Orange flags were displayed in the theatre, yet not one word of disapprobation was expressed at that conduct. After that, he dined with the men who declared their hostility to the Catholics, and who drank those obnoxious toasts that had been reprobated by the late King when he was in Ireland. He would not say, that the Lord-Lieutenant drank the toasts, but the Mayor and Sheriffs did. Those Sheriffs, whose office it was to empanel Juries, and to adjudicate in cases where the lives and property of Catholics were concerned, they drank it, and thus declared their partiality. He would judge of the Duke of Wellington by his previous acts. In the Irish Parliament, he supported the Convention Act, a most arbitrary measure. His brother, when in office, under that Act brought an indictment against an entire nation. A list of the Jurors was sent from the Castle; the Government made their own selection, and the list of the under Secretaries was to decide who should try the Catholic delegates. A late Attorney-General (Mr. Saurin) wrote to a Judge to beg of him to call the Gentlemen of the Grand Jury to his chamber privately, and impress on them the necessity of guarding against the Roman Catholics. Was that Attorney-General removed, or was that Judge censured? So far from it, the one was retained in office, and the other was sent down five years after, to try the Catholics. That late Attorney-General Saurin had been recently attending meetings and associations in Dublin, the object of which was, to establish Orange ascendancy in Ireland. He would support the Amendment, and oppose the Ministry.

Colonel *Perceval* trusted the House would give him a few moments of their attention while he endeavoured to rescue himself, and that party to which he belonged, from the imputations cast upon them by the hon. member for Meath. That hon. Member said, that as he (Colonel Perceval) had avowed himself to be an Orangeman, he was to be considered as a person pledged to the utter extermination of the Catholics of Ireland.

Mr. *Grattan*—I made no such charge against you.

Colonel *Perceval* was glad he had misconceived the hon. Member, but if he was not mistaken many hon. Members not only on his, but on the other side of the House, were guilty of a like misconception. Be that, however, as it might, he fearlessly asserted, and he called on every Member of that House who was at all acquainted with the principles and feelings of the Association to which the hon. Member for Meath alluded, to say whether its fundamental principle, and the fundamental principle of Orangemen in Ireland were, not the encouragement of a prejudiced or hostile feeling against any of their fellow-subjects on account of a difference of religion, but, on the contrary, to consider it their bounden duty to stretch forth the hand of good fellowship, and neighbourly courtesy to all around them. Such were the principles of the class whom the hon. Member for Meath had been pleased to describe as murdering miscreants, such the principles which he professed, and having stated them, and having called upon the whole House, or any Member of it, to disprove the truth of that statement, he asked who (if the men who professed them were fair objects for the aspersions of the hon. Member for Dublin and his party,) could be considered safe? The right hon. Baronet at the head of the Administration, had been attacked and aspersed for appointing him to the situation of Treasurer of the Ordnance Department, solely because he belonged to the Association, but he would leave it to the House to determine how far such attacks or aspersions were justifiable. The hon. Member for Meath told them the Orangemen of Ireland were continually breaking open the houses and houghing the cattle of their Catholic neighbours in the county of Down; but he believed if the truth were told, a very different story would come out. With respect to the state of the county of Down, he knew nothing of his own knowledge, but as an Orange resident of that Orange county which he had the honour to represent, he was proud of being able to say it never was in a state of more perfect, and to all appearances more lasting, tranquillity. Religious discord was unknown in it, and so far from considering their Orange brethren in the light they were represented by the hon. Member for Meath, the Catholic population invariably applied to them to arbitrate and settle any trifling differences that sprung up among them. Ireland for years past had been overrun with soldiers; but during the last two years not a red coat had made its appearance in the county of Sligo, stronghold of Orangeism though it was. He had felt it his duty to make these few remarks in defence of himself and the principles he professed, and having made them he would no longer occupy the attention of the House. One word, however, regarding the appointment which his right hon. friend had been pleased to bestow upon him. Last Session it was the subject of the constant taunts of the hon. and learned Member for Dublin and the Repeal party, that an Irishman was never put into office under the British Government. And what was now the fact? Why, the Government was taunted by that same party for having placed three Irish Members in subordinate Ministerial offices. And what did all this demonstrate? Why, that for the sake of aiding a bad cause, Gentlemen would quarrel with the Government for doing precisely what they attacked their predecessors in office for omitting to do. The present Government was told they never could conciliate the people of Ireland. He denied it. They could conciliate, and they would conciliate, the thinking, rational portion of his countrymen, though they might fail in their efforts to bring round that party, of whose opinions the hon. and learned Member for Dublin was the representative. If his Majesty's Government wished to conciliate that party, they would have to go—as did a preceding Government—to the hon. and learned Member for Dublin, and, taking a lesson from him, agree to act according to his dictation. To such a course he was confident the House would not wish them to stoop; but if it did, to such a course he was confident his Majesty's present Government never would stoop. They had an example of that individual's insincerity in his conduct to the late Administration, and by that example he was sure they would profit. As to the imputations cast by the hon. Member for Meath upon a friend of his, Mr. Saurin, he would say nothing. That gentleman's long known and universally-established character, spoke for itself, and he would be paying it the worst possible compliment by occupying for a moment in its defence the attention of the British House of Commons. With regard to the question before the House, he begged to say, it was his intention to vote for the Address; and he would do so among other reasons from the conviction that any vote of that House which was calculated to shake the Government of the right hon. Baronet below him, would irreparably ruin the prospects of internal tranquillity, which, during its continuance, was presented to Ireland. His conviction was, that if the Government of his right hon. Friend should not be enabled to hold its place in the confidence of the Crown, and in the confidence of the country, the management of public affairs must of necessity—the Whigs having been tried and condemned—become vested in a junction of the Radicals and Irish Liberals, and these being parties in which he for one reposed no confidence, it was his determination by every means in his power to support his right hon. friend in his place.

Lord *John Russell:* [A revised Edition of the noble Lord's Speech is announced as being about to be prepared for separate publication; and in order not to delay the publication of this work will be found in the * pages.]

Mr. Secretary *Goulburn,* in rising to make some observations on what had fallen from the noble Lord who had just set down, begged, in the first place, to offer his cordial concurrence in the concluding desire which that noble Lord had expressed. He trusted, that whatever might be the decision come to on the question before the House, they would not run into extremes; and in the few observations he should make, he hoped neither to cause nor keep alive ill-feeling. The noble Lord had begun his speech by recalling the attention of the House to the question really to be decided. That question had been in truth, almost forgotten. It was, whether the House would adopt the Motion of his noble Friend, the Member for Liverpool, or the Amendment of the noble Lord, the Member for Yorkshire. He agreed with the noble Lord (Lord John Russel) in thinking, that the main point of difference existed with respect to the question of the Irish Church. He would not then go into all the preliminary remarks made by the noble Lord. He would not embark on the wide and troubled sea of by-gone animosities, which had nothing whatever to do with the question now to be decided. He would only observe this, that when the noble Lord, as an advocate of the consistency of the Members of Lord Melbourne's Government, taunted hon. Gentlemen on his (Mr. Goulburn's) side of the House with having changed their opinions, the attack came with a very ill grace. He had not forgotten the eloquence with which Lord Melbourne had opposed Parliamentary Reform—he had not forgotten Lord Melbourne's advice to that House to keep the old lamp in preference to taking the new—and he had not forgotten, that, even during the late discussions, there had been no exertions in opposition to Reform, which might not, in eloquence, in power, and in spirit, shrink from a comparison with those of Lord Melbourne. He said, then, that a taunt for inconsistency came with a bad grace from the noble Lord, when it was meant as a defence of Lord Melbourne's Government. But upon that point he would not dwell. The noble Lord had contended, that the House ought to be content only with measures of Reform not less extensive than those proposed by the late Government. And, as an evidence of the incompetency of the present Government to prosecute such measures, the noble Lord had attributed to him (Mr. Goulburn) certain conduct with respect to the admission of Dissenters to the Universities. There was no justice in the charge of the noble Lord. He had never spoken of the Dissenters but with unfeigned regard and kindness. When it was proposed to admit them to the Universities in such a way as must have injured the Established Church he opposed the proposition; but in doing so he expressed his desire to see the concession of privileges to the Dissenters so granted, as not to trench upon the Establishment. There had been in his mind no feeling of hostility; but he was, and ever should be, anxious to maintain to the Church those rights which were essential to its beneficial existence. The noble Lord had told the House, that the Melbourne Government had a plan of Irish Church Reform to propose. He knew not what the plan the noble Lord alluded to was, but he had imagined that the question had been considered, discussed, and settled by the Government of Lord Grey—nor had he before been at all aware, that the noble Lord had considered that question as still open, and the measure so little satisfactory as still to require legislation on the subject. But the noble Lord had gone something further, and had informed the House of the chief difference which the late Government held to the measure of Lord Grey's Government, and that was, that the late Government considered that the surplus of Church property might be applied to other than Ecclesiastical purposes. The noble Lord said, that he was prepared to apply the surplus to the support of the poor, while he (Mr. Goulburn) and those who thought with him, dissented from this principle altogether. "But," said the noble Lord, "it has been asserted, that there was a difference in the Melbourne Government on this point," and that assertion the noble Lord declared to be without foundation; and he also declared, that there had been a perfect accordance between Lord Lansdowne, Mr. Rice and himself. Now really, if the

House turned to the discussions which occurred on the issuing of the Irish Church Commission by the late Government he (Mr. Goulburn) believed, that they would hardly be found to support the views of the noble Lord. Lord Lansdowne did not go the length of some of the Members of the late Cabinet, but reserved his opinions in common with others upon the subject. It was observed, that Lord Lansdowne laid down one principle; and although much had been said about the method of appropriating the surplus property of the Irish Church, the late Cabinet had not bound themselves to any particular appropriation; if surplus indeed might be found, which some took for granted, but which to him was not so manifest. At any rate to decide upon that appropriation was premature. There might be no surplus; and if there were he felt himself bound to assert, that he could not be a party to its application in any way other than analogous to, or in some way supporting Ecclesiastical purposes. The noble Lord had stated the views which influenced the late Cabinet in issuing that Commission, but in proof that the Cabinet were not, as the noble Lord had said, united on the question, he begged leave to quote, in addition to the testimony of Lord Lansdowne, another authority, and one which would, in all probability, stand higher in the estimation of the noble Lord, in consequence of the weight that attached to it in a legal point of view—he alluded to what had been advanced by the late Lord Chancellor, who had always professed his whole heart to be bound up in the welfare of the community, and particularly as far as related to increased and extensive improvements in education. The authority was, therefore, the greater. On this point his Lordship had expressed himself plainly, and the importance of his declaration was increased by its having been made in no casual speech, he had not been betrayed into any unguarded admission, but had deliberately stated it, for the distinct purpose, as the noble and learned Lord then expressed himself, of guarding against any misunderstanding upon a question of such magnitude. In the course of an explanation between the noble and learned Lord, and the Duke of Wellington, he said that he would make use of any surplus that might arise for Protestant purposes in contradistinction to giving any—ay, even a farthing of it—to the Catholic hierarchy. He had stated as distinctly as he possibly could, that if there should be a surplus (and that question could not be ascertained until a report should be made to that House) that surplus should first of all be employed for Ecclesiastical purposes, but they must first of all be satisfied. He had then followed up this declaration by stating his opinion, that any further surplus should be applied to the purposes of education upon the principles of the Established Church. Lord Melbourne had also doubted whether the additional wants of the Established Church would not demand a different appropriation of its revenues. If upon the result of the inquiry then instituted, it appeared, that a surplus should be found unapplied, it was the expressed intention of his Lordship, that such surplus should be appropriated to purposes, if not strictly Ecclesiastical, yet, for the support of a system of education on Protestant principles. He would ask, therefore, whether they were to take the opinions of Lord Lansdowne, and Lord Melbourne, with the express declaration of the late Chancellor, that the surplus, if any, was to be applied to no other than Ecclesiastical purposes, or the argument of the noble Lord, which went to destroy what they had asserted? Judging by the speech to which he had referred, and to the sentiments of the other noble Lords, it must be clear to the House—it became impossible for any man to deny it—that there were divisions in the Cabinet, and that there were among its Members the elements of discord, if not of animosity. These differences it was true need not have prevented the late Ministers from continuing in office a short time longer, and they might even have met the Parliament at the commencement of another Session; but other measures must then have been adopted, or, if the same were persisted in, it could only have been at the expense of principle abandoned by one party or the other. The noble Lord had said, that it was incumbent upon that House to pass the proposed Amendment, because he thought it necessary for that House to mark its sense of a necessity for a Reform in the Church of England. Now, he would ask any man on what ground he could vote for the Amendment to the address, the Amendment being vague and unsatisfactory, and the announcement from the Throne plain and explicit, and which announcement of Church Reform it had been demonstrated by the Government to be their sincere intention to act upon, they having already taken the first steps by issuing a Commission of Inquiry for the furtherance of that object? The noble Lord had objected to the Address passing without amendment on account of the Speech from the Throne containing no account of specific measures on the subject of Corporation Reform. The noble Lord bore rather hard on his adversaries. Had he not, in the speech he had just delivered, when alluding to the Commission of Inquiry on the affairs of the Irish Church, declared that it was his plan first to express general principles, and then when in possession of details—which in this instance the Government could not be, in consequence of the delay that had taken place in submitting the Report—to bring forward measures founded upon the information conveyed. But the noble Lord declined to judge the conduct of others by a similar test. He repudiated the idea that any but the party to which he was attached should act according to the principles he had laid down, and he called upon them to state their measures before they were acquainted with the facts upon which those measures must be founded. He had this further observation to make upon the subject of Municipal Corporations, that so far as the subject was introduced into the speech, such introduction did by no means and in no degree pledge those who were responsible for that speech against the adoption of any measures whatever. Speaking for himself, and he felt assured he might say the same for his colleagues, he felt no hostility to the reform of corporate abuses—why should he? he had not, nor could he have, any interest in preserving Corporations throughout the kingdom in their present state, or in any state adverse to the public advantage. The noble Lord deeply censured them for not having called together the Parliament which they found in existence at the time of their accession to office. If they were to judge of what might be the conduct of the noble Lord in circumstances similar to those in which the present Government stood, it might perhaps be easy to frame a retort. He admitted the difficulty of forming any opinion of what might take, from what had taken place; he knew how hazardous it was to predicate anything respecting the noble Lord, but judging from the circumstance of the choice of a Speaker being made a ground for displacing a Government, he professed himself unable to comprehend upon what rational grounds it could be contended that the present advisers of the Crown ought to have met the late Parliament. If the appointment of Speaker were opposed in a new Parliament, what might have been done in an old House of Commons, before the recently appointed Ministers of the Crown could have taken their seats? He was not aware that there remained any material topic in the speech of the noble Lord to which he need address himself at that late hour of the night. He had succeeded, he flattered himself, in showing that divisions did exist in the late Cabinet, and that in consequence of those divisions, as well as from other causes, it could no longer carry on the business of the country. For those who had replaced them, he could undertake to say, that they were as anxious to promote, and as unwilling to retard, improvement as any of their predecessors, and that he fully concurred in the concluding opinion of the noble Lord—namely, that they lay under the weightiest obligation to discharge their duty to the public without pusillanimity on the one hand, or inconsiderate rashness on the other.

Mr. *Harvey* observed, that the new Administration drew a large draught upon the credulity of the House when they called upon them to suspend their judgment as to the intentions of the present advisers of the Crown, and at the same time they succeeded to a very considerable extent in convincing the country that they were resolved upon disabusing the mind of the people of all vulgar prejudices, as to the value of consistency in public men. They now came before Parliament heedless of the taunts to which their disregard of former principles exposed them, and declaring that the benefits and blessings of freedom which they intended to confer would raise up for them a monument of imperishable fame. Referring to the course which the present debate had taken, he could not but observe the wide discrepancy between the commendations now bestowed upon the Ecclesiastical Commission, and the denunciations with which the right hon. Gentleman, who last spoke, had assailed it in the last Session. Some attempts had been made to defend the grounds upon which the late Parliament had been dissolved—it was very easy to understand why the dissolution took place. If the country had been made fully aware of the sentiments, and if the late Parliament had but heard the speech that night delivered by the noble Lord near him,—if there had been time for the public to become aware of the benefits which the recent Government intended, the effect upon the constituencies would have been far different. It would seem that the present Government rested their claim to public favour upon the opposition which they described themselves as having offered to the unpopular measures of the late Administration. Of the foundation upon which those claims rested he should leave the House to judge, and proceed to notice the Speech which gave rise to the present debate. It was the longest, and, in one respect, the clearest Speech which he had ever heard from the Throne. As it appeared to him, nothing was more evident than an unequivocal design on the part of the Government to conduct the affairs of the country upon high Church and Tory principles. While the right hon. Gentleman took great credit to himself for not intending to proceed directly to the repeal of the Reform Act, he plainly betrayed the intention of governing the country just as it was governed before the enactment of that great measure. The question for the House to determine was, whether the people were to expect a continuation of those measures of Reform of which the Reform Bill laid the foundation, or whether these just expectations of the people were to be checked and defeated? Among the many prominent topics that occupied the mind of the public, the question of an alteration in the application of the revenues of the Church held the first place. On that point the right hon. Gentleman expressed himself distinctly enough, so that there could not possibly be any mistake about the designs of the Government. He had stated, that whatever turned out to be the amount of the Ecclesiastical revenue in either country, however large and enormous, must be limited strictly to Ecclesiastical purposes. The Government had issued another Commission, although there had been one sitting for nearly two years, whose labours were almost closed, and who had doubtless accumulated important particulars as to the nature and amount of Church-property. He took it for granted that the Report of that Commission would be submitted to the House, and that they would soon be in possession of that great body of hitherto concealed information, which would tend materially to satisfy the public mind. This being the case, he could see no reason for a second Commission. From inquiries he had made, he understood that the amount of the annual income of the clergy was between four and five millions. Hon. Gentlemen might express their disbelief by such exclamations, but his inquiries justified his assertions, and he should not retract what he had stated until he saw by the evidence of the Report that he had been deceived. But whether it was between four or five millions or not—however large the Church revenues might prove to be—however much exceeding the necessity of the case—still they were to be applied exclusively to Ecclesiastical purposes. This was not the doctrine held on other subjects. The same principle as to the application of surplus funds that he would support with regard to the Church, obtained in the Court of Chancery. When the funds became redundant, outgrowing the original design for which they were intended, the surplus was applied to objects coincident with the nature of their original destination. And this, he would contend, should be the course with Church revenues, and the education of the people according to the precepts of Christianity was an application of Ecclesiastical funds on a similar principle. With regard to the Corporation inquiry they could not appreciate the value of the existing Commission until the Report of the Commissioners was placed before them; but if the measures to be brought forward by the Government were to place our Municipal institutions on a popular principle, what objection could they have to the Amendment that asserted that principle? They did not call on the Government to detail the measures they proposed respecting the Reform in Corporations; but, surely, there could be no impropriety in asking, and the Ministers could have no difficulty in stating, if they meant to confer on the inhabitants of towns, boroughs, and cities the same right of election to the respective civic offices under which they were governed as they now possessed in the election of Representatives to that House? Could any one say that this was an unreasonable requisition? He was told that those who pressed the Ministers on such points —and they were the entire people—aimed at the destruction of the institutions of the country. No accusation was more unjust and unfounded. Whatever was the state or condition of the people of this country, however lowly in their fortune, or distressed in their general circumstances, they had no interest beyond the protection of industry, and the security of their accumulated wealth derived from that source. And, talking of wealth, wealth it was said, was power. He would admit it. But what was wealth? Wealth was the industry of the people; and, whatever might be said to the contrary, the real power, and strength, and greatness of the country lay in the middle and the producing classes. The hon. and learned Member for the Tower Hamlets had mistaken the true nature of wealth, when alluding to the City of London, he spoke of its monied opulence. The true, and not the factitious wealth of that great city was represented by its present hon. Members, for, the real wealth of every community consisted in the industry of its inhabitants. When, therefore, attempts were made to ridicule its inhabitants, and those hon. Members who owed their seats to popular influence, and to place above them those who represented select bodies, great accumulations of money, and large lumps of unproductive property, those who made these remarks, were unaware of the little reason they had to support them. The real wealth of a state was its industry; and this once established, he did not much wonder at the efforts made by the partisans of the present Government to depreciate the opinions of the million-and-a-half of people, inhabitants of the great city in which the House was then sitting, in the selection of their Representatives. But with reference to the subject before the House, the question on the Address, and the Amendment thereto. It might seem strange to hon. Members, and to the public, that after the King's Speech had been discussed in all its obvious bearings—after every topic in the slightest degree pertinent to it, had been over and over again, turned, and tortured, and treated in the many speeches which had been made on the subject during the debate —it did seem strange, he would repeat, that one topic, perhaps the most obvious of all, had absolutely escaped the notice of every one of the speakers. Yet so it was. And it was the more remarkable, looking at the number and importance of the members connected with that interest. He meant the agricultural interest. What was proposed to be done for the farmers? What was said of it in his Majesty's Speech? It was protected by the eloquence, the zeal, and the ability of the right hon. the President of the Board of Trade, who represented one of the most decidedly agricultural districts in the country, a district to which he (Mr. Harvey) was attached by every tie of gratitude and affection, and also by the talents and equal zeal of other hon. Gentlemen, the colleagues of that right hon. Member; yet what were the hopes held out to the occupiers of the soil, and what single cheering allusion had been made to it? Like all other King's Speeches of recent date, the documents put into the mouth of his Majesty by his present advisers "lamented the unprosperous state of that important interest," and what was the relief proposed *in prospectu*? A reduction of the Malt Tax at least? No such thing. The only prospect held out to them was the hope—the hope that when all the other interests of the country which were described to be in a prosperous state had been sufficiently attended to, if anything remained of a surplus, a little of the oppressive load under which it at present laboured would be shifted from it, and laid upon some other interest with which it had nothing whatever to do. That was all the assistance agriculturists had to hope for—a little relief, or rather an unimportant adjustment of their local burthens. After this, it would be a puzzle to him if the noble Marquis, the Member for Buckinghamshire, took office with the present Administration, or even afforded them his countenance and support. Such was the way in which the most important interest in the country was disposed of by those champions of vested rights. Equally unsatisfactory was the Speech as it regarded the prosperity of the community generally. Throughout the debate, he had not heard a single expression of sympathy for the people; all appeared to be monopolized by the great and the noble. He could not help repeating, that through the entire debate the anxiety of parties devoted to the consultation of exclusive interests was too manifest; interests which were only tolerable from the highly artificial state of the society in which the people were placed, while the substantial, real, and essential interests of all, that of the people, was totally neglected, and never once alluded to. But it was useless for the House to attempt to conceal the fact from themselves that this interest was by far the most important; or to persuade themselves, while they were passing it over, that they would be permitted to do so with impunity. The people knew their own rights, and that House, however boastful of its wisdom, would soon be taught to attach importance to them. It was sought by the party now in power, to pledge the House to their support, under the pretence of being Reformers, and a speech of his in the last Parliament was ludicrously misquoted to serve the purposes of an argument, and as an illustration to that effect. But when he compared the conduct of the late Cabinet to a strike among the taylors, it was not with a view to hold them up to ridicule; but to show, that it was not more difficult to supply competent men to govern the State, than for master tailors to supply the places of their refractory servants. The right hon. Baronet, in his eloquent speech of the previous night, argued on the absurdity and impolicy of the nation being pledged to any set of public men, and especially to the framers of the Reform Act; but in the argument, the right hon. Baronet unwittingly comprehended himself, for in modelling his Administration, he most sedulously selected all those who were most averse to it at the time of its passing. It was urged by the supporters of the present Administration, that if it were overthrown, the consequences to the country might be dangerous, if not fatal. How absurd! Why, for a period of upwards of three weeks during which the right hon. Baronet was on his return from Naples, there was absolutely no Government in the kingdom, and yet what evil came of it? The people had then the power of casting out their tyrants, if they thought they had any; but they showed themselves to be real friends of order. They awaited in breathless anxiety the return of the right hon. Baronet, and the announcement of the measures he proposed to carry into effect in his Administration. The right hon. Baronet came, and his plans were announced in an address to his constituents,—in a speech at the Mansion-house, and again in one of the most eloquently elaborate speeches ever made in that House; and have they satisfied the country? The result would show that they gave deep and bitter disappointment. What were they? First, there was an Ecclesiastical Commission, composed of whom? Of Ecclesiastics. It was too ludicrous. As well might he (Mr. Harvey) propose that a Commission should be appointed for the purpose of inspecting, analysing, and reducing pensions; no one to be eligible to a place in it who had not been, and was not then in the actual receipt of a pension. The idea was a new one; and if it had not something of the character of an insult, it would be absolutely ludicrous. To suppose that all the right reverend Fathers in God, with which the Commission was crowded — with all the reverends who crowded the stalls, and filled the prebends, and enjoyed the canonries of our cathedrals —living on the fat of the land produced to them by the power of the Church, would sit quiet under the abandonment and resignation of their temporal interests—and not this alone, but be expected to search into and examine the revenues of the Church, with a view to their more equal distribution to their own infinite prejudice,—was to presume, that these men were actuated by higher motives and kinder feelings, and capable of greater sacrifices for the cause of Christianity, than human nature ever yet got credit for. As he had already said, it would be found, that the revenues of the Church in England and Wales fell little short of five millions annually. How was that enormous sum to be dealt with? Though the Commissioners' Report might not answer this question; the right hon. Baronet had informed the House on the subject. All, every penny of it, was to be devoted to strictly Ecclesiastical purposes. From his (Mr. Harvey's) knowledge of the people of these countries, he never felt more convinced of anything than he did of their indifference to any such mode of distribution; and he was sure that it would never have their sanction unless a very large part of the surplus was devoted to purposes different from those contemplated, not questionable in their nature and designs, but national, and of public utility. The Reform of the Church, in as far as the intentions of his Majesty's Ministers were discoverable, was only an empty name, and on that head the country would stand exactly in the same position as it stood before the question was mooted at all. The next reform suggested but not specified, was Corporate Reform. As the Ministers had offered no development of their plan, he could not enter into it; but he conscientiously believed, that when it came before the House, it would be precisely of the same character as their Church Reform. Next, with respect to the prospects of the present Government, it had been stated by the hon. and learned Member for the Tower Hamlets, and he gave the fullest credit to the statement, that the destruction of the late, and the existence of the present Administration was owing entirely to the result of a successful intrigue in the other House of Parliament. Was the country to be told again, as it had been before, that the exclusive right to the Government was vested in the hands of an hereditary Peerage? An experiment was going on, to subvert the great benefits of the Reform Bill. Formerly, the hereditary legislators governed the country by means of the rotten boroughs; each monopolist selected his chosen men of consummate talent, and sent them into that House. By them was the battle fought, the remaining portion of the Representative body being merely quiescent co-operators. The effect of Reform was to make the people of England the patrons of the House of Commons. A bold, bare-faced, and dangerous stand was consequently now made by the other branch of the Legislature to regain that power which they had so long and so profitably held for themselves, and so long and so ruinously held for the country. No one could take note of passing events, if he lived in the world, and not perceive that the late Administration fell a victim to an intrigue in the other House. If it were otherwise, what cause had the present Government to dissolve the late Parliament? Why not meet it as men unconscious of acting unfairly? Why not court the candid exposition made by the noble Lord (Lord Melbourne) and reply to it as beseemed men void of offence and innocent of evil? There were many persons who complained bitterly of the dismissal of the late Ministry and the dissolution of the late Parliament. He was not one of them. He, for his part, rejoiced at it, because he thought it an advantage to the country as well as to the individuals composing the late Cabinet and that branch of the Legislature? Why? It showed the Members of Lord Melbourne's Government, that whatever course they might take to conciliate their natural enemies—whatever name they might adopt, whether a new one like the Tories, or an old one, like nothing that they professed to be, Conservative or any other—whatever they said or did, or endeavoured to do, they had no hold on the affections of the Court—that they were never for a single moment free from the influence of the Janissaries by whom it was always surrounded, and that they were never secure of office from one day to another, nay, from one hour to another, unless they cast anchor in the hearts of the people, and sunk it deep in the soil of public confidence. They would shortly be replaced by the voice of the country in that position from which they had been driven by intrigue; the good sense of the people would soon sift the measures of the present Ministry, and fathom the true character of their Government. When the late Ministers should again be borne into power on the full tide of public affection, he hoped they would not forget their reverses and the cause of them. If they did not they would find in the confidence of an approving people, and an enthusiastic nation, a sufficient and sure protection against all the machinations of faction, and an effective support against all intrigue, domestic or foreign, by which they might be surrounded.

Mr. *Baring* said, that he should not have risen but for the allusion made to him by the hon. Member for Southwark, (Mr. Harvey) and the cheer with which the hon. and learned Member for the Tower Hamlets had greeted it. The hon. Member for Southwark had stated, that the great commercial interests of the City of London were proved by the last election to be adverse to the Government. It was however, a fact well known to almost every one at all acquainted with the condition of that great city, that in any election that had ever taken place for its numbers and property were never so decidedly at variance. It was perfectly well known to all persons at all conversant with the politics of the City of London, that an Address had been prepared and presented to his Majesty, congratulating him and the country on the accession of the present Ministry; that Address was signed by 5,000 individuals, whose names represented more of real substantial wealth, respectability, and intelligence, than had ever before been appended to such a document on any similar occasion. He was not one of those who was at all disposed to distinguish between different classes of a constituent body. The sitting Members for the Metropolis were undoubtedly returned by a majority of votes; but he did so then merely to correct a mistake into which the House was likely to be led by the broad assertions of hon. Gentlemen opposite on the subject; he felt a justification, and trusted to its good sense for excuse. If he stated, not alone that the wealth of the City of London was unrepresented in that House generally, but that nine-tenths of the real wealth of that great city was not represented at all, he should not, he sincerely believed, overstate the fact [*" No, no "*]. Such was in his belief the condition of London at that moment. With respect to the cheer of the hon. and learned Member for Southwark, he could not help congratulating those hon. Gentlemen who were now employed in opposing his Majesty's Ministers on the accession to their strength which that hon. and learned Member would be found when they again entered on the arduous duties of office. They would in case of his junction with them have that to say which no other Administration ever had, that they had neutralised the hon. and learned Member's uniform and universal opposition. On the general question involved in the Address and the amendment before the House, he did not feel it his duty to trouble them at any length. The able and eloquent speech of his right hon. Friend the Chancellor of the Exchequer, in the preceding night's debate had so fully, so amply, and so distinctly treated all the topics involved in the discussion—had so minutely detailed the causes which led to the dissolution of the late Parliament—the motives which influenced him to accept office—the measures he proposed to bring forward, and the plans for the public weal which he had in contemplation, that nothing was left to be said on either of those topics. Hon. Gentlemen, however, persisted in their opposition, upon the presumption that sufficient and adequate measures of improvement and Reform would not be presented to the House. For this there was no ground. When his right hon. Friend should have specifically brought them before the House then would be the fittest time for opposition. He would wish to call the attention of the House to the fact of how these questions stood with reference to the present Parliament. Most of these questions had been entangled and perplexed by the late Administration, and it was only by examining them in detail that it could be ascertained whether there had been on the part of that Administration any exclusive merit in the management of those questions. The late Administration had attempted a commutation of tithes in England; they had attempted a system of general registry; they had attempted a measure with respect to Church-rates; all these, and many other questions they had propounded to Parliament, and had been able to effect nothing. They had failed in everything. The noble Lord the Member for Devonshire had spoken of the tithe question, but so little had he known of the history of the transaction, that he evidently supposed the Bill of the late Government introduced into that House had been defeated by the Bishops in the House of Lords. He had a right to complain, for the late Government had produced measure after measure, and all of which had proved unsatisfactory to Parliament; and yet the House was to be told that the late Government had been composed exclusively and solely of persons who were entitled to present reasonable measures of Reform to the country. He knew that the questions that had been proposed were all of them attended with great difficulty; but his opinion was, that with respect to tithes, the Bill which the present Administration would introduce for a commutation would be a very great improvement upon the scheme which the late Ministers had proposed. He was not aware that there was any party in that House that had any interest in withholding from the people every rational and practicable improvement of the institutions of the country. He had never met any party, whether belonging to the Church or not, which was not fully desirous that all reasonable reform should take place. He would take up very little more of the time of the House. As to the justification of the change of Administration, undoubtedly much would rest on the position which had been advanced—that the last Government was in perfect harmony in all its parts, and having no differences on the great principles of internal Governments. In the first place, he thought that the statements which had been made by his right hon. Friend (Sir Robert Peel) had been quite conclusive upon this subject. He would venture to say, that no man, acquainted with the public business of the country, that no man informed of the public transactions of the last two years, whether he were in or out of Parliament, could be ignorant of the differences and difficulties which had made it a miracle that the late Government had been able to exist even as long as it had existed. The surprise in every man's mind must be, that a party so situated could have been kept together so long. He had need only to refer Gentlemen to the language that had been used by Lord Brougham in every case in which he had made a speech, and they were not a few, in order to prove the endless differences in the views and opinions of the different Members of the late Cabinet. Even at a great public entertainment given in Scotland, in honour of Earl Grey, the great idol of the Whig party, for whom all parties entertained respect, the members of the party could not meet, even on an occasion of such a description, without going out of their way to dispute whether the advocates of Reform were going too fast or too slow. No, the party could not meet even convivially, when the members of it were disposed to smother all differences, without exposing to the world that they all thoroughly differed on this the most material of all points. The House had quite evidence enough to be convinced that the King could have had no alternative but the course which he was necessitated to adopt. He would assure the House, speaking of himself personally, that he was quite sensible of the little pretensions which he had to hold the situation which he did hold; and he could assure the House that he accepted it from a sense of duty, under the necessary circumstances of the times; and that no Gentleman whom he had the honour to address could feel more satisfaction in taking office than he should have pleasure in yielding it on any occasion in which it could promote the best interests of the country. He felt convinced, that the feelings of the country were so far with those with whom he had the honour to act, that if a fair trial should be given, and a fair exposition allowed for the measures which Ministers would feel it their duty to propose, he was in no apprehension as to the ultimate decision of the House. Let them consider whether there was any party in that House more likely to form a Government than that which now filled the public departments. He conceived it to be quite impossible that any man could reflect upon the present situation of the House, and the state of parties both within and without the walls of Parliament, and entertain a hope for the formation of another Government. It might be true that when all the parties opposite were united there might be a small majority in the House adverse to the present Administration; but still every Gentleman must perceive that the chance of such a union was so small that the Government of the country was in reality not only the majority, but a very material majority, over any body of Gentlemen prepared to act together on any public principle in that House. Could the late Administration, he asked, govern the country except by associating with those against whom they had always acted with hostility, or with whom they had always felt the strongest differences of opinion? Those were the points which he thought should induce the House to consider that it was their duty to vote for the Address, and against the Amendment.

The Debate was again adjourned.

HOUSE OF LORDS,

Thursday, February 26, 1835.

THE KING'S ANSWER TO THE ADDRESS.] The *Lord Chancellor* informed the House, that the Address of their Lordships had been carried up to his Majesty, who had been pleased to return the following most gracious Answer:—"I thank your Lordships for your loyal and dutiful Address. I receive with the greatest satisfaction your assurances of cordial cooperation with me in the adoption of all those measures that are calculated to promote the happiness and concord of my subjects."

CORPORATION COMMISSION.] Lord *Brougham* moved, that Copies of the Commissions issued in 1828, 1829, and 1830, together with the names of the persons to whom they were directed, should be laid on the Table. [Lord *Ellenborough*: With the sums they cost.] Some of the Commissions were not nearly finished, and, therefore, the expenses of them could not yet be known. This was the first time that he had heard of the expense they had occasioned being objected to. Some of the greatest improvements in the civil and criminal law of this country had been adopted on the recommendation of the persons to whom some of these Commissions had been directed. Statutes, too, upon the law of real property—Statutes of the greatest importance, and of the most beneficial kind had been passed on their recommendation, and were now the law of the land; and these benefits had been chiefly earned at the cost of the expense that these commissions had occasioned.

Lord *Ellenborough* had only suggested that the expense of all the Commissions should be known.

Lord *Brougham* was ready to agree to the proposition as to all, but not as to part; but he could not make that part of his Motion, for the other information he wanted now without delay. It was impossible to give the account of the expenses of all this moment, for there was one in Ireland now going on. He had heard that certain Commissions issued by the late Government were illegal; and, of course, that could only have been stated in that House with a view of impeaching those who had issued them. He was one of those persons, and he wanted to prepare for his defence. The innocent public imagined, when the Corporation Commission was referred to, that it was intended that something was to be done for the reform of the corporations; but he, who was in that House, and heard the statement of the noble and learned Lord, knew that the meaning of the allusion was, that there was to be an impeachment.

The *Lord Chancellor:* The statement now made by the noble and learned Lord is not correct. That was not the object of the mention made of the Corporation Commission in the King's Speech. It is intended to act upon a part of the Report furnished from that inquiry. Nor was it said that these Commissions were altogether illegal. But a portion of the power granted by those Commissions I say is illegal. I will at the proper time show it to be so; and I challenge the noble and learned Lord to maintain the legality of it.

The Marquess of *Lansdowne:* I think that my noble and learned Friend below me is correct in what he said; for when I heard the speech of the noble and learned Lord on the Woolsack the other night, I thought that he stated that these Commissions were illegal. I thought, too, it was impossible for the noble and learned Lord, filling the situation which he now fills, to assert such an opinion, without advising the Crown to withdraw the Commissions from those who now hold them. With such an opinion, I could not possibly think that he could advise the Crown, as the King's Speech seemed to intimate, to act upon the Reports furnished by a Commission which he stated to be illegal in that part—the most important part—the invasion of the rights of property, or that he could recommend to the Crown that any proceedings whatever should be adopted on the subject, till that which was incorrect and illegal had been made correct and legal. I must confess that I heard the opinion then expressed by the noble and learned Lord with the most unfeigned surprise, as I had seen one whole Session pass, and had not, on any one occasion, heard the noble and learned Lord now on the Woolsack — though then attending this House, and attending it in a spirit not very friendly to the Government that issued these Commissions—express such an opinion: if he held such an opinion, he concealed it in his breast; and I heard him for the first time, on the former night, declare, that these Commissions were illegal, but which he had abstained from noticing, and respecting which he might have moved an Address to his Majesty to withdraw them, or, being in office, and in that high judicial office to which the care of property is particularly commended, he might there have declared that they were illegal; but he had allowed these Commissions to proceed without notice of that illegality of which he now complains. I say, therefore, my Lords, that my noble and learned Friend below me was entitled to expect, after a notice so lately given and so long withheld, that some proceedings would take place on this subject, or that some advice would be given to the Crown, considering the importance of the question that affects the right of property, to withdraw the Commissions, and put an end to the illegality, or that those who issued them should be impeached; and till I hear that some such proceeding is advised for the adoption of the Crown, or that some such Motion is brought forward in this House, I shall not believe that any person really considers them illegal.

The *Lord Chancellor*: My Lords, I do not believe that I ever was, on any occasion, in this House when this Corporation Commission was under discussion. In addition, I will say, that I never saw this Commission, and that it is only from report that I form my opinion. It never was mentioned in this House in my hearing till the other night. I have had some conversation with a noble and learned Friend of mine, now a Member of your Lordships' House, on the subject, and it was from that conversation that I came to the conclusion that the particular powers to which I have adverted were illegal. The Commissioners are not acting on these powers now. I have no reason to believe that the Commissioners are now proceeding under this Commission; but in framing their Report, and till that Report and the Commission itself are laid on the Table, I have not the means of knowing whether the Commissioners have neglected, or have attempted to exercise, the particular powers to which I have adverted. When they have been laid on the Table I shall be able to form a correct opinion on the subject.

Lord *Brougham*: My Lords, I am lost in astonishment at what has now occurred. I believe that, since the memory of man, never was there witnessed such a scene—no, not in the memory of man—as we have just witnessed, taken in connexion with what passed here the other night. The noble and learned Lord on the Woolsack—the chief legal adviser of the Crown—the highest law officer in Equity—the highest law officer in this House—the Minister of Justice—he who in England exercises those functions which in other countries are called the attributes of the Minister of Justice—he who is not only responsible for the administration of the law in his own court, but has to watch over all the courts in this country; but it is enough to say that he is a Judge—it is enough to say that he has judicial habits—it is enough to say that he is a Member of this House—he, I say, of whom all this may be stated, got up in his place in this House on Tuesday last, in a solemn debate upon the question of carrying an Address to the Crown, and brought a charge against his predecessor in office, exercising the same functions, clothed with the same authority, performing the same duties, and against his predecessor's colleagues, neither more nor less a charge than this—that he had dared to put the Great Seal of England to a Commission in a most material respect illegal; and then, in answer to an objection drawn from his own speech, in making that charge, he says, that, as soon as the proceedings under that Commission shall be finished, and the result of the partly illegal Commission shall be known, it shall be communicated to Parliament. The conclusion drawn from the speech of the noble and learned Lord was, that, as the proceedings under the Commission were not yet finished, and the report had not yet been received, not that the report was founded upon information obtained by means of an illegal authority, or by the administration of a power contrary to law, but that it was legal, and that it was to be laid before Parliament, in order to be made the foundation for some proceedings. I stated the satisfaction naturally enough produced in me by what I then heard. I, who had heard a contrary opinion expressed in this House before—I, who had heard the Commission attacked—who had been defied to defend it—who had stood forward and proffered the defence, and had not then heard the attack a second time, when I declared myself ready to defend it—I, who had heard the attack, I say, of noble Lords in this House, and of others of the same party with the noble and learned Lord, I did, as it was natural for a person who had heard these attacks to do; I did state my satisfaction at finding that it was treated not as an illegal, but as a legal Commission; and still more so when I found, in the King's Speech itself, that the result of the proceedings should be communicated to Parliament. What, then, did the noble and learned Lord do? He instantly got up, and, in answer to that part of my statement, said, that the King's Speech gave no pledge—that the Government made no promise—bound themselves by no pledge, save and except one single intention, that of laying the Report before Parliament. I ask, in your Lordships' judgment, whether this was not the utmost extent of the gloss put on that part of the King's Speech by the noble and learned Lord? But now, he says, that, so far from admitting that it was not illegal, "I am myself," says the noble and learned Lord (and I pray your Lordships to consider what I am about to state, and then say whether the like of this scene was ever enacted before), "I am myself (and he said it in his legislative capacity, not in his judicial capacity—for, certainly, there is nothing of a judicial kind in this proceeding on his part), I am myself ready to adopt proceedings upon this illegal Commission." He stamps his authority on it that it was illegal, and it was, that it was illegal on no less than on this most important, and, I may, say cardinal, point—I mean that touching the law affecting the rights of individuals respecting their property. Was I not naturally alarmed when

I heard such an opinion, backed, as it was said to be, by judicial authority? Yet, notwithstanding this attack,—this opinion so backed and so enforced, I now learn with astonishment, but with great satisfaction, that the same noble Lord now avows to night, that the opinion he gave a night or two back, that the Commission was illegal, was an opinion that he gave without having read the Commission itself. So that the opinion he stated the other night was not his own opinion. He has consulted, it appears, one judge—one who is now a judge, but who was not so at the time—who was at the bar when the Commission was issued —and who, for aught that I know, may never have read the Commission either. How am I to know that his authority is not as much in the dark as he? The noble and learned Lord says, that he was not in the House when this question was before discussed, and that he has never heard it mentioned in the House itself; he does not deny that it was a subject of controversy in the House, that it was a subject of discussion out of doors; he does not say that he does not know that opinions were taken on it, and that certain corporations acted on those opinions—nevertheless he has allowed, for three months since he has held the Great Seal, the Commissioners to act on this Commission, which he now declares to be illegal—he has not recalled it—and has allowed his Majesty (consulted as he must have been in the framing of the Speech delivered from the Throne) without having read it—he has made up his mind, not from perusing it, but from hearing the opinions of others, because some counsel at the bar has declared it to be illegal, and some one, who is now promoted to the bench, says so too —he has formed, I say, his opinions from the statements of others—he thinks it illegal, and yet he has allowed his Majesty in the Speech to speak of it not at all as illegal, but to make mention of it in such a way as would make nine hundred and ninety-nine men out of every one thousand believe that no mortal who had advised the issuing of that Speech had ever dreamt that there was any flaw or any illegality affecting this Commission. I am gratified however, at hearing the alteration in the statement as to what is intended to be done with the Commissioners' Report when it is presented. We were told the other night, that the Speech promised nothing, but that the Report should be communicated to Parliament. I believe it did promise more when I heard the Speech itself, but I afterwards understood the noble and learned Lord to say, that what was to be done with it, or whether anything, whatever, was to be done with it, he would not pledge himself—he would not say; but that all he would say was in the words of the Speech itself, that, when the Report was received by the Government, it would be communicated to Parliament. Whether in consequence of what had passed out of doors, or in the other House of Parliament, it is impossible to say; but he now gives a less scanty, a less stingy assurance. He now says that there can be no doubt whatever that, when the Commissioners' Report has been laid before Parliament, it is the intention of the Government to take some proceeding upon it. I do not complain of this change in his statement; all I say is, that from the Speech of the noble and learned Lord, delivered the other night, there was no one intimation, nothing to make one soul believe that there was any other intention on the part of the Government save that only which the Speech mentioned, the laying of the Report before Parliament.

Lord *Ellenborough* apprehended that it had not been said, that it was illegal in the Crown to issue the Commission, but that there was a grant in the Commission of certain powers of an inquisitorial nature. To that part alone the charge of illegality applied. The noble and learned Lord on the Woolsack was as confident of the illegality of that part of the Commission as the noble and learned Lord opposite was of his authority to issue it. That noble and learned Lord had made a long speech, but he appeared to forget that, on the 4th of February last, his Majesty promised, that there should be laid before Parliament this very Commission and the Report. How that promise could be made he was at a loss to know. No inquiry could have been made of the Commissioners, who could not possibly have framed their Report, for more than a year had passed and the Report was not yet ready. What did his Majesty say with respect to this Report? "The Reports, which I will order to be laid before you, from the Commissioners appointed to inquire into the state of the Municipal Corporations, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may in due season be safely and beneficially applied." It was for this distinct purpose that his Majesty last year intended to lay the Report before Parliament. His Majesty was not enabled to keep his promise. Within a short time he might be enabled to perform that promise. As he had not been able to keep it hitherto, it was essential that mention of it should be made. Had it been otherwise, it would have been a natural inference, that it was not the intention of the Government to allow the Report to be made, and consequently not to act upon it. Whether the Commission was illegal or not, there was no reason why the Government should not take advantage of the information that had been obtained. That information might be limited in extent, from the proper resistance that was made to the Commission in some places. But the evidence might be submitted to the House, and to that evidence and to the Report the fullest consideration of the Government would be given. It was unnecessary to state the principles on which the Government would proceed in considering that report. He must tell the noble and learned Lord opposite and his friends, that with respect to the Commission the Government would not consider it their interest, or their duty, to maintain any one recognised abuse. It was their object and intention to reform such abuses altogether.

Lord *Plunkett:* The Commission had been objected to on a ground that went to the root of its authority. If it was illegal in the way in which it had now been described to be, it would be impossible to act upon it for any purpose whatever; for, if the objections to it were true, it was an inquisitorial commission, calling on individuals to make a return of the nature of their property, that abuses with respect to that property might be corrected, and that those who were justly accused of those abuses might be punished. The noble Lord said that some persons had submitted and answered, and that advantage might be taken of the information obtained from their answers. It was contrary to all notions of justice and law to say that if a party, under the pressure of an authority which was not legal, yielded to it, and gave answers, any other party could avail itself of those answers against the party who gave them. It would be a base and monstrous thing to do so, and would be in itself illegal. He did not agree with the opinion given on the Commission by those who had not read it—he did not agree with the opinion of the noble and learned Lord who said, that he had formed his opinion on the representation of another person, for he (Lord Plunkett) had considered the matter, and had not formed his opinion in a way equally cursory. He was not prepared to say that this Commission would deserve the character that was cast upon it, but if it did, there was not a part of the information so illegally acquired that might properly be made the foundation of any legislative proceeding. In law, such was the rule—if a man asked for information for which he had no right to ask, that information could not be used against the individual giving it. It was consistent with the established practice of courts of justice that if information was improperly extracted under the pressure of authority, that information could not be used. The way in which he applied that rule was, that if the Commission was illegal, the information obtained under it could not be applied, and the public might put out of their minds, that information so illegally obtained could be used in the correction of abuses to which it related.

The Duke of *Wellington* said, that this subject was not regularly before the House, and it would come regularly before them at a future time, when this discussion might with more propriety be entered upon. It was true, that no judicial proceedings could be founded on questions illegally put, but what the noble and learned Lord on the Woolsack had said on the former occasion was, that certain powers to ask certain questions relating to property, and to inquire into private documents, had been illegally given to the Commissioners. The question, by and by, for this House and the other would be, not whether they should proceed to pass judgment on this information, but whether they would proceed to legislate upon it? These two things were perfectly different. The noble Lord who had last spoken supposed that they were to pronounce judgment against the parties on this information. Not at all. This and the other House would be called on in their legislative capacity to act upon this information, if it should be found possible and proper to legislate upon it. What the noble and learned Lord said the other night was, that there were certain powers in these Commissions that ought not to have been given to the Commissioners. He himself had not seen the Commission or the Report, and he did not know anything about it, but that was the opinion he had before heard; and when the Report came regularly before the House, their Lordships would judge whether that opinion was right.

The Earl of *Radnor* said, that there ought to be a previous question to that which the noble Duke had stated, namely —whether the Report ought to come before them at all. The noble Duke had said that they were to legislate, not to pass judgment. Why, that was doing more than passing judgment. It was executing sentence. The noble Duke said that he had not seen the commission, and knew nothing about it, and the question seemed to him (the Earl of Radnor) to be, whether the Commission or the Report ought to be seen at all, for, as he understood it to be declared to be illegal, it seemed to him, that if it was, the information obtained under it ought not to be made public. The noble Lord on the Woolsack said, that he had not read nor seen the Commission, but had formed his opinion on that of a noble and learned Lord to whom he had spoken on the subject; he did not state this the other night; he did not then say that he had formed his opinion on the opinion of another, but he said, that he agreed with the opinion of that other noble Lord. Now, however, the noble and learned Lord said, that, of his own knowledge, he knew nothing about it.

The *Lord Chancellor:* I never said that I knew nothing about it.

The Earl of *Radnor* thought it clear that the noble and learned Lord had rashly expressed an opinion formed on the opinions of another.

The *Lord Chancellor:* My Lords, I am supposed to have acted rashly in expressing the opinion which I gave the other night. I have stated that I have not seen the Commission, but that the knowledge I possess of it I have derived from a noble and learned Friend who has communicated to me the contents of the Commission. Was I rash in the conclusion which I then drew upon the information he furnished? That must depend upon the means of knowledge which he possessed. In consequence of the issuing of this Commission, the opinion of my noble and learned Friend, who was then at the Bar, was taken by some of the Corporations. They laid a copy of the Commission before him. There is no reason, whatever, for believing, no one who knows anything of the world will believe, no man of business will believe, that the copy thus furnished was not a correct copy. It was the interest of the parties that it should be a correct copy. In consequence of his being so consulted, he directed his attention to the subject; and there is no man in this empire, be he who he may, more competent to form a correct opinion on such a subject than he. He stated to me the materials on which he was called on to form his opinion, and what the result of that opinion was. Was I rash, then, in stating to your Lordships that, on the evidence and on the facts with which I had thus been made acquainted, the particular powers contained in that Commission were contrary to law? Was I stating a mere assumption when I said that I believed that the opinion of my noble and learned Friend was correct? Was I rash in adopting his opinion when that was confirmed by my own experience on subjects of this kind? He said that he had good reason to believe that when the Commission was first issued, it did not contain the clause to which I have alluded, but that it was afterwards added by the pen of the noble and learned Lord who then held the Great Seal. I appeal to your Lordships whether I was rash in assuming the fact to be as he stated it, and in concurring with him in the opinion that he had formed. So much as to this part of the case. Now, as to the other;—when we came into office we had reason to believe that the inquiry had terminated;—we called on the Commissioners to do what? To go on with the inquiry? To take further proceedings? No, but for their Report. They said they should soon be prepared with it, and we did not conceive ourselves justified, under these circumstances, in refusing to receive the result of the information they had acquired. With respect to the Report, it was, continued the noble and learned Lord, the intention of his Majesty's Ministers to inquire into the state of Municipal Corporations as far as they legally could. They should examine the evidence upon which the report was made, and so much of it as was legally taken they might possibly feel themselves justified in acting upon. He would not give any opinion as to the course they might think proper to take; but he would say this, that it was now, and always had been, the intention of his Majesty's Ministers to pursue inquiry, and to correct abuses in the constitution or conduct in Municipal Corporations. Nothing he said the other night was inconsistent with those designs. All he had said was, or, at all events, all he had meant to say was, that till the Report was laid before his Majesty it was impossible for Ministers to commit themselves by saying what course they intended to take. He hoped that this explanation would be satisfactory, both as to what he had said on a former occasion, and as to the intention of Ministers with regard to what was admitted on all hands to be one of the most important questions that could come before Parliament.

Lord *Brougham:* No one could more clearly express his meaning than the noble and learned Lord on the Woolsack when his instructions were clear; but it was the noble and learned Lord's misfortune upon this subject not to have been able to express himself twice alike. The other night he stated that it was the intention of the Government barely to produce the Report; but he, first of all agreeably surprised him to-night by telling the House that it was not only intended to produce the Report, but to follow it up and act upon it. Now, however, he had less agreeably surprised him, for dashing the cup of hope from his lips, and rousing him from the pleasing dream of Municipal Reform into which the noble and learned Lord's declaration had cast him, he told the House in a third explanation, which came much nearer the first than the second that it was just possible Ministers might do something in consequence of the Report. He could not say that the explanations were all inconsistent, but the second was different from the first, and the third from the second, although nearly resembling the first; for, instead of the bare Report being produced, they were told that it was barely possible the Government might act upon it. As regarded the noble and learned Lord's opinion of the illegality of the Commission, he was also agreeably surprised, for it turned out to have been given without his having read the document. He relied upon the opinion given of it by a noble and learned Lord as counsel.

The *Lord Chancellor*—The opinion was not given to me by the noble and learned Lord as counsel, but after his appointment.

Lord *Brougham* — His opinion was formed upon a case submitted to him as counsel, upon which case a fee was marked, and he should be sorry indeed to hear that noble and learned Lord (Abinger) adhere in his judicial or legislative capacity to the opinion he so formed as counsel. But the noble and learned Lord on the Woolsack had said, that the opinion was stated to him with so much of circumstance, that the noble and learned Lord (Abinger) told him that the Commission did not originally contain the clause in question, but that it was inserted by him (Lord Brougham). Now, certainly he did not for a moment mean to deny, that he advised the issuing of that Commission, and that, legal or illegal, he was responsible for its contents; but he should certainly like to know, how it was that the noble and learned Lord, then a counsel at the Bar, learnt the fact thus stated; he should certainly like to know who it was had had access to the records of the Home Office, so as to discover in its archives the original draft of the Commission. The House had not yet been informed of that; but he hoped that it would be, for he should know what steps to take upon learning the fact. He hoped that the information he asked for would be given, for he should like to know whether duty had been performed, or whether all official duty had been violated, broken, set at nought in that office. He should like to discover, also, upon what consideration, whether paid or otherwise, that communication of a private document, which was now relied upon, was made in those quarters. All the time the late Administration were in office, they knew how many clerks were playing the game of their enemies, were communicating with their enemies; and he knew that several who preceded and succeeded the late Government were entirely of his opinion as to the conduct of these official Gentlemen. He repeated, that he cared not that it should be known that he advised the issuing of this Commission, and that, legal or illegal, he was responsible for it. He consulted forms and precedents in framing it, and some of them would be produced in consequence of his present Motion, and if he advised any deviation from, or addition to, those forms and precedents, he was ready to take the responsibility of it; but he did say, that it imported the public service, that this matter should be a little further looked into. But to return to the opinion of the noble and learned Lord on the Woolsack. The opinion by which that noble and learned Lord abided, was, that the Commission was illegal. Such being his opinion, was it his duty to allow an illegal Commission affecting the rights of property to proceed with its inquiry, to bring that inquiry to an end, and to recommend the King to lay the result of this illegal and inquisitorial Commission before both Houses of Parliament? How far Parliament would be authorized to inquire into the matter upon such evidence has had been collected, without the noble Lord modifying or extracting his opinion, they should have time enough hereafter to consider. But could anything be more calculated to excite greater dismay throughout the country—now looking to Corporation Reform with unbounded anxiety—than to hear that there was a strong opinion of the illegality of the Commission prevailing amongst the Members of the Government, and that the Reform the people expected was to depend upon the legality of each question put and each answer given under it? Nothing precise in the way of pledge or promise had been given by the Government, but had any been given, it could not, with such a qualification, have been made available.

Lord *Wharncliffe* agreed, that it would be unfair to deprive people of their rights upon inquisitorial information illegally obtained; but in point of fact, such information had not been obtained under the Commission, for the Corporations refused to give it. If such information had been given under the Commission, he admitted it might be a question whether the evidence could be acted upon. The fact, however, was, that different Corporations though, knowing the Commission to be illegal, had voluntarily given the information sought for—["*No, no!*"]. It was certainly notorious that the Commission was illegal, for he recollected seeing the opinion of Sir James Scarlett in the newspapers, and he did not see what there was to prevent them making use of information voluntarily given with a knowledge that it could not have been extorted. He believed there was nothing in law to prevent it; and certainly there was nothing in common sense. But putting that aside, it was clear that this question had been raised for the purpose of throwing doubts upon the intentions of the Government. That was the real object of the noble and learned Lord. He had called them apostates and sham Reformers; but he (Lord Wharncliffe) was not open to any such charge, for at no time of his life had he been unwilling to listen to ameliorations in the Constitution. The Government meant to act *bonâ fide* with the people. It wished to Reform, and he used the word as the strongest he could find, so far as Reforms could be made with safety to the institutions of the country; to that they pledged themselves, and no power on earth should force them beyond such Reforms.

Lord *Brougham*, denied that he had ever said his noble Friend, or any one else was an apostate. It was a hard word to use, and he had not used it; although, certainly, he might have called noble Lords opposite sham Reformers, half-and-half Reformers, or milk-and-water Reformers. If they intended to yield to the wishes of the people, they would not deserve those titles; and he hoped that the professions now made by the noble Lord would not be barren, but would produce fruit. The noble Lord was mistaken, however, in supposing that he had, by his Motion, intended to damage the Ministry. All he did was to move for certain papers, saying, that as the Commission had been called illegal, he wished to show the House precedents for it. The debate was raised in other quarters, and was unexpected by him.

Motion agreed to.

BRIBERY AT ELECTIONS.] Lord *Brougham* then rose and said, that in redemption of a pledge he had given last Session, he now proposed to bring in a Bill, to which no objection had been made in that House, through which it had passed in the last Parliament. He begged to remind the House, that accident alone had prevented the Bill from having been the law of the land. When a Bill had been brought in in the last Session to prevent the practice of Bribery at Elections, it had been returned by that House to the other House of Parliament greatly improved; but those Members of the Commons who did not object to the Bill itself, nor to the Amendments it had undergone, did object to such important Amendments being passed without undergoing the stages of a whole Bill; and upon this ground, at that late period of the Session, the Bill had been rejected. He should now move the first reading of the Bill, which was similar in its provision to the Bill of last Session.

Lord *Ellenborough* perfectly recollected all the proceedings which had taken place in the last Session with reference to the Bill in question, and he recollected that both sides of the House had been willing to perfect the measure. He would, however, suggest to the noble Lord, whether it were expedient that a measure for creating tribunals by which the election of Members of Parliament should be tried, should originate anywhere else than in the House of Commons. His opinion was most decided upon the subject.

Lord *Brougham* had not the slightest objection to let the Bill proceed from the Lower House. He believed that the Commons had not the slightest jealousy on the subject, and he had brought it forward solely because of the usual complaint, that at the commencement of a Session the Lords had nothing to do, whilst the Commons were overburthened with business; whilst at the latter end of the Session the Commons were less engaged, and the Lords were overworked.

The Bill was withdrawn.

Church Reform.] Lord *Brougham* rose to introduce two Bills which had been read once in that House in the last Session. The one was for the prevention of Pluralities in the Church, and the other was for enforcing the residence of the Clergy.

Lord *Ellenborough* reminded the noble and learned Lord, that a Commission of Inquiry into these subjects had been issued under persons most competent to form an opinion upon them. He submitted, therefore, whether it would not be more expedient that the noble and learned Lord should not at present proceed to the discussion, but allow some time to pass in order to give Ministers an opportunity of bringing forward the measures which they might think fit.

Lord *Brougham* only wished the Bills to be read a first time, and the second reading might stand over so as to afford time for the production of the Report of the Commission. He protested, however, against the doctrine that, because a Commission of Bishops had been instituted, any Member of Parliament should postpone a measure merely in order to see what the Church itself would do with Church Reform. He had not the slightest idea that the Church Commission would agree with the House on this subject, though he would consent to postpone the second reading out of curiosity as to what course the Commissioners would pursue.

The Bills were read a first time.

HOUSE OF COMMONS,

Thursday, February 26, 1835.

Minutes.] Petitions presented. By Mr. Baines, from a Place in Yorkshire, for an Alteration in the Factories' Regulation Bill.—By Lord George Lennox, from the Agriculturists of Sussex, praying for Relief,

Business of the House.] Mr. *Ewart* rose to move, that no public business of importance should be introduced after eleven o'clock at night. He had a strong impression of the necessity of such a regulation as this, both as respected the Members of that House and the public. At such a late hour, the House was generally in an exhausted state, and it was then impossible to do business properly. He was of opinion, that the plan he proposed was the only mode for securing sound and rational legislation. It was well known that at present a great deal of the most important business of the House was transacted after midnight, when Members were unable effectually to discharge their duty to the public, and were most of them slumbering on the benches. It was at such times as these that advantage was taken to smuggle obnoxious Bills through the House, and it was also on such occasions, that those who opposed Bills, had an opportunity of throwing them out. He scarcely knew any assembly in the world that carried on its Debates at such late hours as that House. Indeed, the only assembly he could find that did so was in ancient times, that of the Areopagites, who discussed their business during the night. It might be truly said, that the Debates of that House, after two or three o'clock in the morning, were carried on under the influence of sleep,—

Sleep the tir'd Members slumbering all around,
And sleep the Clerks below.

With a view to put an end to such a ridiculous species of legislation, he now made this proposition:—It would be conducive at once to the public interests, and to the character of the House, that no new public business should be introduced after eleven o'clock at night. If a Debate had been commenced previous to that hour, of course it would be open to the House to carry it on to whatever hour it chose; and if an Estimate had been brought forward before eleven o'clock, of course the Debate on it might go on to its conclusion. He hoped his Motion would be adopted, as it would greatly facilitate the transaction of public business.

The *Chancellor of the Exchequer* thought that the hon. Member could scarcely be in earnest in bringing forward so important a Motion in such a thin House. It was not a proposition to which, as far as he was personally concerned, it would be his interest to object, as of course the Chief Minister of the Crown, who was obliged to give such incessant attendance there, would be too happy to have an excuse to retire from public business at an early hour. But the fact was, that it was quite clear that the whole condition of the public business must be reviewed before a regulation of the kind could be adopted. If such a change were introduced, it would limit the hours for public business to six. If, indeed, they commenced business at ten o'clock in the morning, as was the ancient usage, it might be possible to make some such regulation. But before they introduced such a change now, it would be necessary, as he had already said, to review all the circumstances and condition of the public business, and also the private arrangements of Members of Parliament. Above all, it should be recollected that a great portion of their public duties was transacted in Committees, and that, too, of the most useful description to the public. The Debates in that House were very often the contentions of party, and were not unfrequently taken up with long and unnecessary speeches, while the real business of the country was done in Committees. Nothing, therefore, would be more unreasonable than to curtail the time devoted to the business transacted in Committees. He did not think, besides, that the hon. Member's proposition would effect his object, which he had stated was to prevent the introduction of any new business after eleven o'clock at night. The hon. Gentleman complained that there was a good deal of somnolency about twelve or one o'clock, but he did not object to the Debates, if they had commenced before eleven o'clock, continuing to that time, or even a later hour. Why would the hon. Gentleman refuse to allow the introduction of some new subject at those hours which might possibly have the effect of awakening them? After their attention was wearied for hours with some perhaps most uninteresting Debate, he would not allow them to take up any new matter, while they might go on with the old topic, pregnant as it might be with persuasives for sleep, to the latest hour. Besides, it should be remembered, that there were many matters of form, particularly towards the close of a Session, some twenty or thirty Orders of the Day perhaps, which it was obviously necessary for the despatch of public business should be disposed of, and to which no one paid the least attention. Now, the effect of the hon. Member's proposition would be to prevent the introduction of such matters after eleven o'clock. He trusted, that the good sense of the hon. Gentleman would induce him to defer this matter to a later period of the Session, so that all the new Members might be enabled from experience to form a judgment with regard to it. It was, in his opinion, a matter that it would be far better to leave to the discretion of the House. Speaking from his own experience, he would say, that the adoption of the proposition of the hon. Gentleman would be productive of the greatest possible inconvenience. What a temptation would not such a regulation offer to any Member who was desirous to prevent any new matter being brought forward on a certain night! By beginning his speech a little before eleven o'clock, and protracting the peroration of it until after that hour, he could easily accomplish his object. On the whole, he hoped that the hon. Member would allow the House to exercise its discretion upon the subject.

Major *Beauclerk* agreed with the right hon. Baronet in thinking that they should not discuss such a subject in so thin a House. He therefore hoped his hon. friend would withdraw the Motion, and bring it forward on some future day. It was a matter of the greatest importance to the House as well as to the country. He could speak from experience of the evils of the present system, as last Session he had been obliged to wait for sixteen nights, night after night, in the House, to oppose a Bill brought in by the late hon. Member for Shrewsbury, the discussions upon which were generally taken at one or two o'clock in the morning, and after all the Bill was given up. He thought, on such grounds, that some hour should be fixed, after which no new business should be allowed to be introduced. It was only by meeting at an early hour that they really could do the business of the country properly. It might be unpleasant to lawyers and merchants to attend at such hours, but there were a vast number of Gentlemen sent there from different parts of the country to do the public business, and it was ridiculous to suppose that the convenience of a few lawyers in London was to determine every regulation of the House. He knew of no subject in which the public was more interested, especially as it was notorious that many important Bills were passed in Houses of fifty or sixty Members, and that several of the Estimates were introduced after twelve o'clock at night.

Mr. *O'Connell* reminded the House, that in all other legislative assemblies business was done at reasonable hours. The House of Commons was the only public assembly in the world at which public business of so important a character was transacted at such late hours. There were a thousand things occurred by candle-light which would not bear the open light of day. Levity was frequently exhibited on the discussion of interests which required the gravest deliberation. The Representatives of France usually finished their discussions by five o'clock in the afternoon. The Representatives of America also finished their business by an early hour—and why? Because they began early in the day. He thought that the business of the House ought to commence at eight or nine o'clock in the morning. Why should they not commence at as early an hour as the Courts of Law? It would be a great improvement on their present practice to commence at half-past nine o'clock, or even ten o'clock, in the morning. He was convinced, that if they would commence at an early hour, and sit till seven or eight o'clock in the evening, they would do more business in three days of the week than they did in six according to the present arrangements. They would thus have three days clear for the transaction of business in Committee. Something, he was sure, must be done. The House ought not to follow the old system any longer, as the public were entitled to have the best employment of their time. The young men might not feel the fatigue of their present late hours, as they might be amusing themselves elsewhere, but it was a serious inconvenience to those hon. Members who were from fifty to sixty years of age. It was only the youthful part of the House that could long endure such fatigue. He hoped that a division would take place upon this subject, if not to-night, at least at an early period, and that the hon. Member for Liverpool would continue to divide the House, from week to week, until some better arrangement was made.

Mr. *Hume* said, that the question to be decided was, whether the business of the House was well done or not under the present arrangements. He thought that it was quite impossible for any one who saw the mode in which they legislated after one or two o'clock in the morning, to say that business was well done. Something ought to be done to remedy this inconvenience in the present Session.

Mr. *Ewart* thought, that there was not much value in the right hon. Baronet's observation, that an hon. Member who was anxious to postpone the discussion of any Bill, would prolong the peroration of his speech so as to occupy their time till after eleven o'clock. The argument possessed more ingenuity than solidity. There was a great prodigality and waste of time in their present system of late hours. He would therefore put an end to it at once. He did not make this proposition merely for the convenience of the House—he looked to the advantage of the nation, which required that its business should be done at seasonable hours, in order that it should be well done. Of course business would be better conducted at natural hours than at unnatural hours. It had been very truly remarked by the hon. and learned Member for Dublin, that this was the only legislative assembly in the world which held its deliberations at such late hours: but our Parliamentary Records testified, that it was the practice of our ancestors to meet at more reasonable hours. In making this Motion, he was only carrying back the House to its ancient constitutional practice, the wisdom of which he did not expect either the right hon. Baronet or any of his present colleagues to gainsay. He declared his intention of bringing forward this subject again at the end of a fortnight, by which time the new Members would have had a taste of the late hours, which the right hon. Baronet appeared so anxious they should enjoy. At present he would content himself with moving the adjournment of the Debate to Friday the 11th of March.

The Debate was adjourned.

The Address in Answer to the King's Speech—Adjourned Debate.] The Order of the Day for the resumption of the Adjourned Debate on the Address, having been read,

Mr. *Mullins* felt himself called upon, in the name of his constituents, to express in the strongest language his dissatisfaction with, and disapprobation of, the course of conduct of the right hon. Baronet and his colleagues, since he had assumed the Seals of office. He had listened with all the attention which he could command to the speech of the right hon. Baronet, and to the speeches of those hon. Members who had followed on the same side, and he had endeavoured in vain to discover whether there was any one good solid reason for the dismissal of the late Ministers; and he must say, that he had not heard one single argument, one single syllable in the shape of a solid reason, why such a recommendation should have been given to his Majesty, or why the House of Commons, which had supported the anxious desires of the British Empire generally, should have been dissolved. He could show good reasons, why that Parliament should not have been dissolved, and why the right hon. Baronet who had taken upon himself the responsibility of an act, which might involve that House in collision with the other House, which every honest man had an interest in avoiding, should be made answerable for it. The reason alleged for the breaking up of the late Cabinet was, that Lord Melbourne had informed his Majesty that he could no longer carry on the Government. Now the fact was, that Lord Melbourne was not only ready but anxious to carry on the Government, provided the reforms were made in our institutions which the abuses that had crept into them rendered necessary. Lord Melbourne, he repeated, was obliged to resign his office, though he had no disposition to do so; but, because a disposition had been exhibited in a certain quarter, to change those Ministers in whom his Majesty had placed confidence for more than four years. The right hon. Baronet in coming to the decision to dissolve a House of Commons which had given so much satisfaction to the country had acted in a way which no other man who valued the peace of the country would have done. A new Parliament was assembled; and now let him ask the right hon. Baronet whether it spoke the public opinion more satisfactorily in his estimation than that which he had dissolved. With all the powers which Government could bring to its aid,—with all the powers which it had used to the utmost at the last election, Government had not succeeded in procuring for itself and its measures a majority in the House of Commons. That had been proved in a manner which nobody could contradict, on the late election of Speaker, and would be proved still more clearly on the division on the Address, which would take place that night. There were other divisions on topics of greater importance, which would take place within a few days, and the majority would go on increasing on the side of the people, so as to prove to demonstration that there had been no revolution in the popular feeling. Did the right hon. Baronet suppose that where the opinions of the House, and of the people acting in concert with the House, had been expressed so unequivocally as they had recently been, he would be able to lead the House and propose measures which would suit the prevailing opinions of the majority of the House? If they looked to the declarations of the right hon. Baronet, not since Parliament met, but on every occasion when he had had the means of addressing the public, they would find that, whatever his promises had been, he could not be a sincere friend to the principles which he had been obliged to avow. The right hon. Baronet and his colleagues were ashamed of their old name of Tories, and had, in consequence, along with their supporters, addressed their constituents as Reformers, and proclaimed their desire of proposing measures in accordance with the spirit of the Reform Bill, which they had bitterly and perseveringly opposed. Being Reformers, as they now called themselves, were they such Reformers as the country was at present prepared to adopt? Reformers though they might be, he was certain that they were not ready to bring forward those measures which the country now so earnestly desired. What, he would ask, was the language of the speech which the right hon. Baronet had put into the King's mouth? What did it promise? What measures of Reform did it develope? He could not perceive in it one shadow of a promise of Reform, in the spirit of that great and important measure which had been passed during the Administration of Earl Grey. Let them look at the words of the right hon. Baronet, let them look at the declaration which he had published to his constituents at Tamworth, and at the speech which he had subsequently made to them at his election dinner. Had he not told them on both occasions, that it was his deliberate and well-matured determination to adhere to the principles which had guided him all along in his political career? Had there, in point of fact, been any change? Did the right hon. Baronet intend to move on with the spirit of the times? Was he ready to act now, as he had acted once before, on the principle of expediency, to bend before the power which he could not control—in a word, to yield to what he had denounced the pressure from without? Quite the reverse. The right hon. Baronet had done nothing of the sort. He had declared his opinions to be unaltered, and his colleagues had also done the same. What course had the right hon. Baronet and his colleagues promised to take with respect to the Reform of our Municipal institutions? What was it that his Majesty's Speech declared? The House had been told that a Commission had been appointed to inquire into those institutions, but it had not been told what course Government would pursue when the Report of that Commission was laid on the Table. It was easy for Government to place a Report upon the Table of either the House of Commons or the House of Lords: but what Parliament had to attend to most was the measures to be founded upon such Report. It was evident from what had recently occurred that there was on the part of the Ministers a desire to convey to the country a notion that Ministers would be friendly to the measures which might be recommended by the Commissioners in their Report. But, if such were the disposition of the right hon. Baronet, it was quite evident that there was no cordiality on the subject between the right hon. Baronet and his colleagues in another place. Precautions had been taken elsewhere to show, that there was no intention on the part of the Government to introduce measures in accordance with the public wish; and he would take the liberty of reading to the House a few words from the declaration, which had been there made. The Lord Chancellor had said, "that they were going to bring in a measure founded on the Report of the Commissioners of the Corporation Inquiry: he did not find any statement to that effect in his Majesty's Speech. What he found there in relation to that matter was to the effect that a Commission had been appointed for the purpose of conducting an inquiry into the state of Municipal Corporations; that they had not yet made their Report, but that there was reason to believe it would soon be ready, and that when it was, it would be laid before Parliament. What would be done with the said Report when it came to be laid before Parliament must depend on the nature of the evidence, on the Report founded on that evidence, and not on that alone, but on other circumstances" (he should like to know what those circumstances were); "he did not feel himself called on to give any pledge on the subject; on the contrary, he would say that a Commission having been appointed for inquiry, till that inquiry was concluded, and the Report made, it was premature to say, what would be done. The noble and learned Lord said, that they had adopted that Commission, and this he was willing to concede; but he must also declare, that some of the powers of the Commission in the extent to which they were carried were illegal. The Commission exercised an authority in the name of the King which the Crown did not in fact possess. It was empowered to inquire into the nature of the property of Corporations, to call witnesses, to examine them on oath, and to require them to produce all deeds, titles, and writings relating to their property. He averred that to be illegal; in fact, it was unknown to the Constitution of the country." Now, after such a declaration could any man of common sense suppose that there was any intention on the part of the right hon. Baronet and his colleagues to introduce a searching measure, or indeed any measure at all, for the Reform of our Municipal Institutions? Where, then, were the right hon. Baronet's promises of Reform? It was easy for any men to call themselves Reformers; but it was by their acts, and not by their words, that the Representatives of the people ought to try the Reformers in the present Ministry. With reference to the subject of Irish tithes, he would ask, whether a single word had dropped from the right hon. Baronet which could lead them to believe that there was any intention on his part to bring forward a measure which was likely to remedy the grievances of the Irish people, so far as tithe was concerned? There was nothing in the Address which could justify them in believing that any such intention existed, nothing of the sort in any of the speeches which had been delivered in that House. Where had Reform been promised on that score? Did the right hon. Baronet mean to controvert doctrines which he had formerly expressed upon this subject? Would he again act on the principle of expediency, and would he now introduce on this subject a measure as extensive as benevolent, and as satisfactory to the people of Ireland as that introduced in the last Session by the late right hon. Secretary for Ireland? If the right hon. Baronet supposed that a less extensive measure than that would give satisfaction to the people of Ireland, he was indeed grievously mistaken. If the right hon. Baronet meant to act fairly by the House, let him, instead of cloaking his intentions under the unintelligible verbiage of a King's Speech, state unequivocally, and without disguise, what his intentions were respecting the system of tithes, which now met with universal execration in Ireland. Let him do the same with respect to the Reforms he intended to make in our Municipal Corporations. Let him declare his intentions distinctly respecting the Dissenters, and say whether he intended to go in that respect as far as the noble Member for Devonshire, and as that Government which had been lately displaced without a particle of cause. They had a right to demand that information from the right hon. Baronet, and without giving it the right hon. Baronet had no right to ask for the support of the majority on his Address, and hon. Gentlemen, who thought as he did, had a right to support the Amendment upon it. They supported that Amendment to show that there was a firm phalanx in that House determined to support the rights of the people, and to give to the country those Reforms, which, while they were wholesome, temperate, and salutary, would give universal satisfaction. They had a right to express their opinions to his Majesty, even though those opinions were in direct opposition to those contained in his Majesty's Speech; they had a right to express them decidedly and constitutionally, and he hoped that the Amendment to the Address which embodied the important changes which the country required, would be laid before his Majesty, and that his Majesty, acting on the advice of his faithful Commons, would act with that deference to their advice which had been displayed on other occasions. It was incumbent upon the right hon. Baronet at the head of the Government to show, that he had acted honestly and honourably by the country in proceeding as he had done at the hazard of destroying the peace and tranquillity which he had admitted prevailed in the country during the Government of Earl Grey and Lord Melbourne by holding out promises which it was never intended to fulfil.

Mr. *Finch* said, that the hon. Gentleman who had just sat down had expended some time in endeavouring to make out that the late dissolution in Parliament was unjustifiable, and that the right hon. Baronet had failed to justify his conduct in advising his Majesty to adopt that step. It was undoubtedly the opinion of hon. Gentlemen on his side of the House that the right of dissolving the Parliament was a Constitutional right, wisely deposited in the hands of the Crown. There it ought to be inviolate, but, at the same time, it must be admitted that under a limited Monarchy this prerogative must be exercised with all due respect for public opinion. Looking at the late dissolution with these opinions, still he was sure that the Government could boldly meet any charge which upon this subject might be brought against them. He might be imperfectly acquainted with the history of his country, but as far as his knowledge extended he knew no instance in which the prerogative of the Crown had been so wisely exercised as in the late dissolution. They had heard much of the principles of Reform from those who contended that they should be acted upon, and who asserted, because those principles guided not the conduct of the Members of the present Administration, no confidence could be placed in them, and no expectation could be entertained of their services benefiting the country. But never had there been any attempt to define the meaning of those vaunted principles. If, however, he understood the principles of the Reform Bill they merely went, so far as the Constitution of the country was concerned, to correct abuses which had crept in, and to effect such improvements as our Constitution admitted of. With respect to the application of those principles, so far as regarded other institutions, they simply signified that all existing abuses should be corrected, and all possible meliorations effected. It was said that the present Government would not introduce measures of safe and salutary Reform. How that could be seriously declared he could not divine; but this he knew, that the addresses of the right hon. Baronet must satisfy every reasonable man, every man of common sense, that he had taken up the spirit of Reform. That it was his intention to bring forward measures for the redress of admitted grievances was his declaration to a free and intelligent people, who were prepared to avenge themselves if he deceived them. He stated that he was ready to go on in the spirit of Reform, to remove every glaring abuse, and to adopt every improvement of which the Constitution was susceptible. But hon. Gentlemen on the other side of the House said they could not intrust him with their confidence. They said they doubted the sincerity of his repeated declarations, and for that alleged reason were they about to vote against the Address to his Majesty's Speech. How curious was it, that hon. Gentlemen who were not generally deficient in perspicuity were on this occasion so blind to their own interests. How singular that they should refuse what had hitherto been usual—a fair and impartial trial. How singular they did not see, that if the right hon. Baronet falsified his promises nothing would sooner bring them into power, and there establish them on a basis from which it would be impossible to remove them. How, again could hon. Members make charges of inconsistency, and yet act with such an utter disregard of consistency? The Amendment, which was framed to unite all parties in its support, appeared to him of a nature which, if consistency were regarded, must preclude many hon. Members from voting for it. How could the hon. and learned Member for Dublin give it his support? How could he act with Members of the late Government, which he had so vehemently opposed, and concur with them in supporting an Amendment which deeply regretted the dismissal of lord Melbourne's Government? Perhaps he thought that, by subverting the existing Administration he would cause the accession to power of a part of lord Melbourne's Government with which he and his friends could unite. If he were determined to act with the Members of the late Government he must indeed wade through a deep mire of inconsistency and dereliction of principle. What had he said of lord Melbourne's Administration in a letter tranquilly written at Derrynane Abbey? What had he said of that Parliament the dissolution of which was regretted, and what attention had that Parliament paid to his notable appeals and remonstrances? The first act of that Parliament was to approve of an Address which the hon. and learned Member designated as "a brutal and bloody Address." Let them call to mind the words in which he had stigmatized that Address. He said, "it appears to me impossible to agree in that Address. I think it is a brutal and bloody Address. It is exactly fitted for exciting a civil war. 'Tis just such an Address as was sent to America. It is bloody, brutal, and unconstitutional. I can readily conceive the bitter laugh of scorn with which the Speech and the Address will be read in my country. It will be considered there as a declaration of civil war." Such were the sentiments of the hon. Gentleman on the Address first agreed to by the first reformed Parliament—that Parliament the dissolution of which the Amendment so pathetically lamented. What was the majority by which that Address was carried? 428 to 40, or, in other words, ten to one. Was, then, the hon. and learned Member prepared to sanction an amendment which regretted the dissolution of a Parliament so large a majority of which had assented to a bloody, brutal, and unconstitutional Address, which tended to produce a civil war? Shortly after that

Address the Coercion Bill was introduced, and what then was his language? "Lord Althorp," he said, "has come forward to assassinate the Constitution. He takes away the Trial by Jury—he takes away personal freedom. There was a time when there was a dawn of hope for Ireland. It was when the present Parliament was assembled. The hope is gone. You crush us by an act of despotism." Notwithstanding this declaration, notwithstanding his powers of eloquence, he was left in a minority. He was defeated by a majority of 466 to 89, or in other words five to one. Was the hon. Member prepared to vote for an Amendment which praised a Parliament that had deprived Ireland of personal freedom? In the next Session of Parliament how was the hon. and learned Gentleman singled out and designated in his Majesty's Speech? As the disturber of the peace of Ireland. The Address on that Speech was carried by a large majority of that House. The hon. and learned Gentleman soon after brought forward a motion for the repeal of the Legislative Union. But why did he so, if the interests and welfare of Ireland were attended to by that House of Commons, the dissolution of which, if he supported the present Amendment, he must acknowledge to regret. But the hon. and learned Gentleman obtained none of his wishes in the late House on this subject. He must have considered that they did not mean to give justice to Ireland, otherwise, why should he have moved for a Repeal of the Union? An extraordinary change, it appeared, had taken place in his mind with respect to the late House of Commons. His speech on the motion alluded to was one of great eloquence and research, and lasted for five hours; and it was seconded by the greater portion of his Irish colleagues, and by many of his political Friends, Members for places in this country; and yet that motion was rejected by a majority of five to one. It was, therefore, extremely inconsistent on the part of the hon. and learned Member for Dublin to regret the dissolution of the late Parliament, since his motion proved that he considered that Parliament had not at heart the welfare or prosperity of Ireland. With respect to that dissolution he was free to admit, that it ought not to have been had recourse to unless it could be supported by weighty reasons; nor ought, without such reasons, Ministers to be dismissed, since it was not fair to call upon high Officers of State to take Office if, afterwards, they were liable to be unceremoniously rejected. He considered that the right hon. Baronet, who had lately accepted the Premiership was in some degree responsible for the dismissal of the late Ministers. He contended however, that the late Administration had had a fair trial, and that the country condemned their opinions and their measures. All might recollect that in his Majesty's Speech at the opening of last Session a strong and not very flattering allusion was made to the hon. and learned Member for Dublin. Afterwards, in the course of the Session, a measure was brought in for the commutation of tithes in Ireland, but the principle of that measure was that tithes should still be applied to Church purposes. That principle did not satisfy the hon. and learned Member for Dublin, and the consequence was, that it led to the memorable coalition between the hon. and learned Member and certain individuals forming part of the late Administration. That coalition brought about the resignation of Lords Althorp and Grey. Previously a Report on the state of Ireland was requested from the Viceroy of that country, and in that Report prædial disturbances and resistance to tithes were chiefly attributed to political agitation. Another letter was then despatched to the Lord-Lieutenant, requiring a different Report, which was to be agreeable to the wishes of the hon. and learned Member for Dublin. When this transaction was discovered and pointed out in Parliament Lord Althorp resigned, and upon that resignation Earl Grey thought fit to tender his resignation also; and in doing so, the noble Earl declared in the other House that if Lord Althorp ceased to form part of the then Administration it would be impossible for it to carry on the Government of the country. Lord Melbourne's Administration had been tried, but it now appeared that it was acquitted by the hon. and learned Member. He repeated that a deliberate declaration had been made in the face of Parliament and the country that if Lord Althorp ceased to lead the Opposition in that House Lord Melbourne could not carry on the Government of the country. The Sovereign was therefore fully justified in what he had done; and though some responsibility rested on the present Chancellor of the Exchequer it was very light.

They were told that the principle upon which any Administration could exist was a well-regulated distribution of the property of the Irish Church; and a noble Lord opposite (Lord John Russell) had endeavoured to prove the unanimity of the late Cabinet upon the subject. But he had proved the reverse, since there was a tangible difference upon this point between the opinions of Mr. Spring Rice, the Marquess of Lansdowne, Lord Brougham, and other Members of the late Cabinet. What distribution did one party propose? Why, taking away the surplus, and giving it to the Roman Catholics. It was proved that the opinions of Mr. Spring Rice and the Marquess of Lansdowne were, that after the wants of the Established Church and its ministers were provided for, and if any surplus should remain, it should be applied to the education of the other inhabitants of the country, whether Catholic or Protestant. If any part of that surplus was applied to the education of the Catholics was not that clearly applying it to Catholic purposes? Now, it ought to be borne in mind that the Sovereign, in the Coronation Oath, had sworn to maintain the rights and privileges of the Church, and in those rights and privileges were included the property of the Church. It was, therefore, evident that if the property of the Irish Church should be infringed upon, there would be a violation of the Coronation Oath. It was not upon this ground alone, nor upon the conduct of the late Government respecting the Irish Tithe Bill, nor upon account of what they did respecting the Coercion Bill, but there was also their opinions respecting the revenues of the Church — opinions at variance with the national faith and the Coronation Oath—that made him oppose them. Their opinions upon these subjects at a time such as the present more than justified their dismissal. He hoped, therefore, that the Amendment would be rejected, and he was surprised that the noble Lord who moved it could lend himself to anything so vapid and so vague. He would in conclusion tell the hon. and learned Member for Dublin that if he and his sixty votes should support an Amendment which expressed regret at the dissolution of the late Government he would be guilty of the grossest piece of inconsistency ever heard before.

Mr. *Grantley Berkeley* regretted the absence of the right hon. Baronet (the Chancellor of the Exchequer) from his place during the few remarks which he should feel it his duty to submit to the House. If, after the dismissal of the late Ministry, who enjoyed the confidence of the country, and who were dismissed without a trial, the vote he was about to give had no other object than the dismissal of the present Ministry, it would carry with it its own justification. But he had a thousand other reasons for opposing the present Government. Their inattention to the claims of the Dissenters, their neglect of the important question of the Irish Church, would in themselves be quite sufficient to create such an opposition as would prevent the possibility of their remaining long in office. The right hon. Baronet said, that he had not given any factious opposition to the Government of Earl Grey; but it should be recollected that the right hon. Baronet must have been bound by the pressure from without to the support of measures which would have otherwise met with his opposition. For his own part, he had no objection to see the right hon. Baronet himself fill a situation for which his talents and acquirements so eminently fitted him; but looking to the class of men by whom he was surrounded, recollecting that the coadjutors of the right hon. Baronet were ever foremost in the ranks of the most Conservative Tories, he did not hesitate to say that it was impossible for any honest Reformer to give him his support. Even liberal measures would be received with suspicion from him. On no question connected with politics had he ever found so little difficulty in making up his mind as upon the present. It was his conviction that the present Ministry could not long remain in power, and he should contribute what he could to bring their reign to an end, by giving his support to the Amendment.

Sir *Roger Greisley* should not be discharging his duty to his constituents if he gave a silent vote upon the present occasion. He could not help expressing his deep dissatisfaction at the very scanty and insignificant mention which had been made of the distresses of the agricultural classes; a class which had borne their injuries with more patience than any other in the community. He regretted that so little notice was taken of these distresses, because he knew, that the agricultural classes would feel deeply disappointed, and he feared that upon a future occasion, if his Majesty's Ministers had occasion to appeal to them, their neglect, it might be found, had alienated their good wishes, and they might refuse that support which they had lately so nobly given. He approved of the principle of the Address; and he trusted, upon consideration, that every possible relief would be given to the agricultural classes. With the remainder of the Address he cordially concurred, and should support it, if only to counteract what he was with regret compelled to believe was a factious opposition, promoted by individuals for the attainment of their own selfish objects.

Mr. *Gillon* said, it was his intention to support the Amendment, although he could not entirely concur in the terms of it; although it wanted some of that force and vigour which at a period like the present the people had a right to expect at their hands; and although it failed in some degree to make manifest that feeling to which he intended to give expression by his vote, a feeling which he shared with the overpowering majority of his countrymen, namely, a total want of confidence in the promises or the professions of his Majesty's present advisers. When the nation beheld all the political principles of a great and powerful party suddenly abandoned—when it heard them adopting, with two exceptions, those measures which were the leading features of the policy of the late Administration, so unceremoniously dismissed—what could it think but that their conduct was a tribute of respect to the great principles of Reform, unwillingly wrung from the lips of its adversaries—a cloak adopted to suit the exigences of the time, and which, when they should once have established themselves in power, might as speedily be thrown off. He did think, notwithstanding what he believed to be the sincere declaration of the right hon. Baronet, that the provisions of the Reform Bill itself would not be safe, should his party be enabled to establish themselves in power. An appeal had lately been made to the people, and in no portion of the empire had it been more nobly responded to than in Scotland. The people of that country had by a majority of more than two to one of their Representatives, declared that they would not place their liberties at the feet of a party, the fruits of whose long system of misgovernment had been extravagance, and debt, and augmented taxation; the encouragement of despotic governments abroad, and the suppression of public liberty at home. That majority would have been yet greater, but for the use of intimidation practised by the rich and powerful against the weak; but for the use of means which tended to corrupt the principles, and degrade the moral bearing of the people. The right hon. Baronet in his powerful and eloquent address, had stated that he had, during the last two Sessions, adopted the spirit of the Reform Bill, and supported the Government by whom that Bill had been carried. In support of his position, he had referred to various measures in which he had given his vote, or expressed his opinion. It did so chance, that in every one of these, from the Irish Coercion Bill, which threw its dark shade over the first transactions of the Reformed Parliament, down to the refusal to admit the Dissenters to a participation in the benefits of the English Universities, every one of these votes had been against, not one in favour of, the popular cause. If taxes were to be repealed or commuted for the relief of the productive classes, that repeal or commutation was opposed by the right hon. Baronet. If pensions or sinecures were to be abolished, the right hon. Baronet and his party threw over them the shield of their eloquent defence. But when the rod of power and coercion was held over an unhappy and misgoverned people, their arms were stretched out to give vigour to the blow. On whatever party, therefore, these appeals might have effect, he was certain they must fall dead on his ears and those of the hon. and liberal Members with whom it was his pride to have acted; and he felt they could be accused of no inconsistency in refusing all confidence to his Majesty's present advisers. One word more on that paragraph in the Speech which refers especially to Scotland. He did not hesitate to say that if the present Ministers were unpopular in that country before, this part of the Speech would render them doubly so. The people of Scotland were far too intelligent to be deluded by the pretext of giving religious instruction to the poor. This was not the object of the proposition in his Majesty's Speech, however artfully worded that Speech might be. The real object was to degrade, to treat as nothing, the large and influential body of the Dissenters, and to augment the power, the wealth, and the influence of the dominant Church. He presumed it was intended to build more Churches, and to endow more ministers. But would it not be better, in the first place, to fill those edifices in which, from the insufficiency of ministers, or the unpopular mode of their appointment, they were now preaching to empty seats? He would refer to the case of Edinburgh; in which a cry was now raised that five more Churches must be built, while it was a fact, to which he challenged contradiction, that there were between 5,000 and 6,000 seats in the city Churches of the Establishment unoccupied. The fact was, that the Dissenters were the religious instructors of the poor, and in that city the Dissenting places of worship were full, while many of the Churches were comparatively neglected. Let English Members be on their guard. Though this part of the Speech referred apparently to Scotland alone, it affected also them and their constituents. Were they prepared to grant a sum of money, whether that was to come from a direct draft on the Consolidated Fund, or out of what were termed unappropriated tiends, at all events from funds at the disposal of this House, for the purpose of enlarging the influence of one particular sect in Scotland, without tending in any degree to advance the true interests of religion? Were they prepared for the precedent which would thus be afforded for increasing the wealth of the Established Episcopal Church of England, an intention of which significant hints had already appeared in certain quarters, and a pretext for which would not long escape the ingenuity of the Church Commissioners who had recently been appointed? He held that, by altering the mode of the appointment of ministers, by the entire and final abolition of patronage, and the bringing into the service men who should be identified with the feelings of their flocks, more good would result to the cause of religion, and the interests of the Establishment, than by building more Churches, while the present edifices were untenanted. He objected to this proposition, both as regarded its immediate results, and the dangerous precedent which might be drawn from it, and this formed an additional reason for his opposing the Address.

Major *Cumming Bruce* assured the House he would not have trespassed upon their attention, had it not been for the observations which had fallen from the hon. Member who had just sat down, and he should only occupy their attention for a few minutes. The hon. Member had commenced by stating that a great majority of the people of Scotland were averse to a change in the Councils of his Majesty, and that the opinion of a great majority of the people of Scotland were adverse to Sir Robert Peel obtaining that fair trial which he sought for. Now, he had much reliance upon the intelligent people of Scotland; they acknowledged the integrity of the right hon. Baronet, and of his colleagues in office, and they were, he asserted, prepared to give him that fair trial. The hon. Member was justified in his opinion to a certain degree, by the returns made to that House. But it was only fair to say, and he was sure the hon. Member would not deny the justice of the observation, that in Scotland, as elsewhere, there was a great diversity of opinion. What should be the observation made with respect to the towns in Scotland? He was ready to grant that a proportion of them was against the change; but as the Member for Southwark had introduced a curious and a new definition in political economy, "the holders of large masses of property" sanctioned the change. He appealed to Edinburgh, to Glasgow, and to those other places where it was well known that a great majority of the citizens possessing property recognised with satisfaction the late change. But, if it was the case, that large aggregate numbers were unfavourable to the change in the towns, what, he would ask, occurred in the counties of Scotland, where it was said a great majority were favourable to the policy pursued by the late Administration, or rather to the late Administration itself. With regard to the county of Haddington, the Member for which had spoken upon the first night, he would observe that that hon. Member had been returned by a very narrow majority. What, then, was the case with the great county of Perth. There it could not, at least, be contended but that a very large portion of the constituency expressed an opinion favourable to a Member of the present Administration. What was the case with Inverness, with which he had the honour of being immediately connected; why his right hon. Friend who represented that county, was returned by a bare majority of seven. And it was well known to his right hon. Friend that there were walking about the streets a greater number of persons who professed Conservative principles, than was requisite to turn the scale against him, and who professed the principles of those now in office, and who would have voted against him, had they not been deterred from coming forward [*Cries of* "*No!*"]. He knew the fact to be so; he could give the numbers and the names; and he said, without the fear of contradiction, that had those persons who professed Conservative principles recorded their votes according to their known sentiments, had they not believed that the result would be different from the voting in the distant parts of the county, his right hon. Friend would not have been at the head of the poll. [*Cries of* "*Oh, oh!*"] Hon. Gentlemen might cry "Oh!" but he assured them, on his honour as a gentleman, that this was the fact. What was the case with the county of Ross? Was the majority there so very great, as to entitle any man to say that a great proportion of the country was in favour of the late, and against the present Ministry? Why, the fact was, that a majority of the constituency, he meant the landed constituency, were against the present Member, and his return was secured by the votes of certain 10*l.* householders. He had not the least doubt but that those electors gave to the present Member the most independent support; but he had also no doubt but that support was given from a knowledge of the personal character of the hon. Member, and not on account of his political opinions. But let them look to the result of the elections in other Scotch counties. Was the metropolitan county of Scotland to count for nothing, and its return of a Member favourable to the present Ministry? Was the opinion of the intelligent and manufacturing constituency of Stirling, to count as nothing? nor the returns of Roxburgh? nor those from the Orkney and Shetland islands? were they all to count as nothing? With those facts before them they might perceive that there was but a narrow majority for those returned favourable to the late Ministry; they might perceive, too, from those facts, that in Scotland there was a great diversity of opinion respecting the late change; and, he believed, he could assure the House of this, that there was in Scotland a gradual and a growing conviction, that Government could only be carried on upon one principle, whether it was Whig or Tory (and he cared not which, for he could attach no importance to words of which it was difficult now to understand the meaning); but this he was certain of, that the opinion was increasing, that the Government of the country could not be safely or beneficially conducted but upon those Conservative principles which the right hon. Baronet had developed to that House, and which corroborated the gracious Speech of his Majesty. So much then for that unanimity in Scotland, which had been referred to by the hon. Member who had spoken last, and who went on to take exception to a paragraph in the Address; and for which paragraph he was bound to offer his grateful acknowledgments to his Majesty's Ministers, because they had thought it to be their duty to advise the introduction of that clause into his Majesty's Speech. That clause went to provide the more effectual communication of religious instruction in connexion with the Established Church in Scotland to the poorer classes. He was well convinced, that that paragraph, which showed such a regard for the interests of his country, would be received and hailed there with satisfaction. He did not speak upon this subject without having a deep knowledge of it; because, in one of the districts of the town of Inverness, which he had the honour of representing, there was no Church save the ruins of an ancient cathedral, in which to have religious worship. A subscription had been actually entered into for additional places of worship in connexion with the Established Church. Those subscriptions had not been sufficient for the end proposed, and one of his instructions from his constituents to the last Parliament was to endeavour to induce the last Ministry, as it was to endeavour to induce the present, to lend their aid to the object in view. He hailed that declaration as required by the necessity of the case—he hailed it also on account of the principle which it recognized—namely, the duty of every Christian State to provide for the religious instruction of the community as considered in reference to the interests of true religion. He had heard in the course of the debate, to which he had anxiously listened, Gentlemen on that side of the House taunted as having no common point of Union, no more in fact than those opposed to them. That was not the case with Gentlemen on his side of the House. There was one principle which united them—it was a sound Conservative principle; it was a determination to maintain the connexion between Church and State—to maintain the Protestant Church Establishment in this country, by which they conceived the real interests of true religion could be best promoted. If they looked to religion as merely connected with the interests of time, and connected with mere morality—if they looked to it only as an aid to the civil Government of the country, and to maintain the peace of society—if they looked to it with no other considerations than these, and he had others beyond them—if they looked to it as that on which all the interests of man in this world and in the next were so deeply involved, then he and they must hail the resolution and the disposition to forward religion indicated in the Speech of his Majesty. But when they considered that religion not only secured the liberty of man in this world—when they looked to it as the protection of the rights and liberties of all; that it secured to the poor man the fruits of his industry—to the rich his accumulated wealth—to the nobleman, the permanency of his honours—and to princes the stability of their thrones; when they looked at it in this light then they must hail with gratification and satisfaction the Speech of his Majesty, which assured them that the interests of the true Protestant religion would occupy the serious attention of his Majesty's Government. This, then, was their main point of Union—this was their Conservative principle; it was not like the rope of sand by which they were opposed. It was not like that which upon the slightest shock fell to pieces. His Majesty's Speech, which recognized such a principle of Union, would secure from him, if there was nothing else, his cordial vote in support of the Address.

Mr. *Fox Maule* would have wished to have had some experience in that House before he addressed it; and he should not so soon have offered himself to its notice, but for one or two points touched upon, and in direct personal allusion made to himself by the hon. Member who had just sat down. The funeral oration which had been pronounced over the old system of voting, as it existed in Scotland, and the very able philippic which had been indulged in against the new system, induced him to reply to those remarks. He offered himself to the notice of the House, as the Representative of a very large constituency, and, in deference to that portion of the constituency by whom he had been returned, and which he was not ashamed to acknowledge as belonging to that class who had received their franchise under the Reform Bill. It had been said by the hon. Member for the borough of Inverness, that a majority of the wealth of Scotland regarded the assumption of power by the present Ministry with satisfaction—he thought that was what the hon. Member said—that a majority of the wealth of Scotland did not regret to see Lord Melbourne's Administration dismissed.

Major *Bruce* observed, that what he had, he believed, said, was, that while a proportion of the Members in Scotland were favourable to the late Administration, he believed that a majority of the property of the country was favourable to the present Administration.

Mr. *Maule* believed that there was not only a majority of Members, but there was a majority of the property in the towns in favour of the Melbourne Administration. Now, before he would go further, he would put the case of the hon. Member for Inverness, and on referring to his own election, it would be found that very nearly throughout that borough, which had done him the honour of returning him, property, as it existed there, showed no such feeling as the hon. Member himself ascribed to it. He found that constituency so much divided that the hon. Member sat in that House by a mere majority of four. But let them look to the whole of the boroughs of Scotland, and he might safely say, that the hon. Member was the only borough Representative in Scotland, who sat on the other side of the House. Surely from that hon. Member's own case, taken with all the other boroughs in Scotland, it must be admitted, that the majority of the property in those other boroughs was favourable to the late Administration—with regard to the counties in Scotland, in some instances, he was afraid that the constituency were obliged to follow their conscientious feelings at the risk of their temporal interests. And the county which he had the honour to represent, he would say, confirmed this observation, for the landed property of Perth were certainly adverse to his standing. But what a credit was it to that constituency—what merit had they, who, without any consideration for their own especial advantages, when they could not find in their own county one to represent their interests, they had referred to him, and returned him freely? He denied *in toto*, that a majority of the people of Scotland were favourable to the present Government. With respect to the observations made regarding the Established Church, and the hon. Members calling for earnest attention to the Church of Scotland, he would make but one observation, which was that, before they gave any grant to aid a particular creed, they should first fill the churches they had, and then talk of building others. He certainly could see no necessity, till they filled the churches they had already in existence, to apply to Parliament for a grant to erect more. He should not now occupy the attention of the House further, but, considering the circumstances under which he had the honour to be placed in that House, he could not but say that he had no confidence in his Majesty's Government, and should honestly oppose them upon the present occasion. Would Gentlemen say that in doing so he was giving a factious opposition? As far as he understood the nature of "a factious opposition," it was vexatiously plaguing Ministers, day after day upon every trifling question. In this case he would say it was no such thing; it was a great political question—it was a question to the decision of which the people of the country looked with anxious eyes, it was a question by which (though he trusted the Amendment would be carried), if they voted against the Amendment of the hon. Member for Yorkshire, they would be stamped in the public eye as not worthy of the character of Reformers, but as opposed to all constitutional amendment. With respect to the dissolution of the late Government, the single circumstance of Lord Althorp being removed from the House of Commons was stated to be the cause of it. Could they believe that to be the real fact? Could they believe that, because a man much respected had died in the fulness of years, and his son stood in his place, that was a sufficient reason why the British House of Commons was to be set abroad, like a flock of sheep that had lost its leader? The House of Commons was not then sitting, and it ought not then to have been disturbed. Lord Althorp's services were not lost to the Government; that Government, too, could have gone on even had Lord Althorp's services been lost to the Cabinet, as they were to the House of Commons. Lord Melbourne was prepared to go on with the business of the country, even without Lord Althorp's valuable assistance, and therefore the removal of Lord Althorp from his situation was not the real reason why the Government was dismissed and the Parliament dissolved. Whatever were the real reasons, they knew nothing of them as yet, but he humbly conceived that there were two points yet to be cleared up, and these were—first, how the hon. Gentlemen opposite came into the seats in which they now sat; and next, what they meant to do now that they were there? How the hon. Gentlemen came there was not, as yet recorded in history; and what they mean to do, or what to concede, was also wrapped up in the veil of obscurity. He should vote for the Amendment.

Mr. *Maclean* fully agreed with the hon. Gentleman who had just sat down, that it was becoming in a young Member of that House to sit and acquire some little experience before he presented himself to the consideration of the House; but he would say, that he was placed in a difficult position, because he either must affirm that the Address in answer to his Majesty's Speech, responded to the views which had been stated by the Prime Minister; or he must concede to the noble Lord, the Member for Yorkshire, that the Address which it was proposed to carry up to his Majesty, was so vague and so indefinite, as not to speak the sentiments of his Majesty's faithful Commons. Now he begged to say that he was standing in the situation of a new Member of that House, listening with diligence to the arguments upon both sides, and he was unable to extract from the Gentlemen opposed to him upon this occasion any single reason why he should vote for the Amendment of the noble Lord. The noble Lord stated that he considered the Address as indecisive and indefinite, and the speech of the right hon. Baronet, the first Minister of the Crown, not a satisfactory explanation of the principles upon which the Ministry were about to act. How, he would ask the noble Lord, did that declaration tally with what they had heard the evening before from the hon. Member for Southwark, who said, that in his lifetime, and in the course of his Parliamentary experience, he had never met so clear and so definite an exposition of principles, as that which had been made by the right hon. Baronet. But in what way was he, a new Member of that House, to form his opinions, amidst so much contradiction on the other side, if he thought as he did, that the speech of the right hon. Baronet was a satisfactory explanation of the opinions delivered by him to his constituents at Tamworth, and which the noble Lord, the Member for a portion of Lancashire, said embodied "sound, good, old, constitutional Whig doctrines." The noble Lord then acknowledged these doctrines as pure old Whig doctrines, and he, consequently, must concede that the explanation of the Prime Minister was a sufficient declaration of the principles on which he intended to act. He would take the liberty for one moment of addressing himself to the language of the Amendment. The Amendment appeared to him to pledge the House to this:—that, by the dissolution of Parliament there had been an interruption given to those principles of reformation, upon which the great Act itself had been framed. It seemed, indeed, somewhat inconsistent in argument to say that the late House of Commons was so popular—that it was a House of Commons acting so manifestly on Reforming principles, and that those principles were so broad cast (if he might use the term) in this country—it was, as it appeared to him, inconsistent in any man to argue, that if the spirit of Reform was so deeply fixed throughout the country, Reform could run the slightest risk from a dissolution of the last Parliament. If hon. Gentlemen were anxious to achieve measures calculated to advance the cause of Reform, it would be surely be best effected by a dissolution of Parliament! If they wish to scatter more widely those doctrines and opinions in which they prided themselves, where could they have such an opportunity of disseminating them as when they addressed their respective constituencies upon the occasion of an election? Therefore, upon that point alone, he could not agree to the Amendment. He would not believe that any danger would arise to the true Constitutional doctrines of Reform, which were those which hon. Gentlemen on his side of the House, meant to act upon, from an appeal to the intelligence of the people. But it had been asked on the other side of the House, by the hon. Gentleman who had just sat down, by what mystery it was that his Majesty's Ministers found themselves in the position which they at present occupied? He would answer—by no mystery at all, but by the simplest course of things which could be brought to the conception of the humblest individual. What was the language of Lord Melbourne when he accepted the Seals of office in the House of Lords? Why, that he felt so deeply the great assistance which he derived from Lord Althorp—that the co-operation of that noble Lord was so virtually essential to the Government which he was about to undertake—that he declared he would not, on any consideration, accept the Seals of office without the assistance of that noble Lord. What had been the language of Earl Grey when he resigned office? He (the hon. Gentleman) had had the good fortune to hear the declaration, which he made, that he could no longer go on with the Government of the country, when he had been deprived of what the noble Earl emphatically called "his right arm!" If, then, Earl Grey considered the noble Lord his "right arm," that noble Lord having, since Lord Melbourne's taking the Government, been transferred to the other House of Parliament—if Earl Grey considered Lord Althorp in this light at a time when his Administration had not suffered from various secessions, and when it was in its integrity, what became of the "mystery" in reference to his Majesty's Ministers occupying their present position? Might not the secession of Lord Stanley and of other persons in the Ministry, accompanied by Lord Melbourne's declaration when Lord Althorp was abstracted from the House of Commons, have given his Majesty reason to think that such a Ministry could not go on. Should his Majesty have said "I am willing to embark my fortunes in the wreck of your Administration;" or might he not have said, "I must again appeal to my people, since the loss you have sustained is so great as you yourselves acknowledge it to be. He must own that he had been yesterday very much astonished at the speech of the hon. and learned Member for the Tower Hamlets. That hon. and learned Gentleman stated that from the Ministerial side of the House there had been heaped upon the noble Lord the Member for Lancashire, such profuse and lavish flattery, as almost to disgust him. He remembered with what peculiar emphasis the hon. and learned Member addressed the noble Lord, and from the appearance and demeanour of that hon. Member, he perceived how deeply he felt the inspiration of the poet pourtrayed in the fiction which he quoted. But, why, when he addressed the noble Lord, and stated that from the Ministerial side of the House, that he, the noble Lord, had been so profusely flattered, as to shock him with its indecency; why did he conclude by so copious an effusion of flattery as to make the House suppose, that the hon. and learned Gentleman felt no sincere aversion to prolong the strain he so loudly deprecated. It was clear that noble Lord had perceived on the other side of the House the strangest elements in combination. He saw there the most extraordinary men, with the most extraordinary opinions coalescing, and doubtless had been touched by that sense of the ridiculous which had affected the Roman poet when he exclaimed—

> "Humano capiti cervicem pictor equinam
> Jungere si velit, et varias inducere plumas
> Undique collatis membris, ut turpiter atrum
> Desinat in piscem mulier formosa superne;
> Spectatum admissi risum teneatis, amici?"

No doubt they all adored the "mulier formosa superne," but was there one who did not turn with abhorrence from the "disgusting tail." There was a limit or licence which was occasionally surpassed, a licence allowed to poets as well as painters, but surely no latitude was admissible for the formation of such a coalition as that which the great author had so happily pourtrayed—

> "Sed non ut placidis coëant immitia, non ut
> Serpentes avibus geminentur, tigribus agni."

He could only say, in returning to the declaration which the right hon. Baronet had made of the principles on which he meant to act, that he would give him a fair and honest trial. He had made this declaration before, and he made it again because he was of opinion, and he knew it was in accordance with the expressed declaration of those constitutional writers, whom Gentlemen of the opposite side reverenced deeply and deservedly that the dignity as well as the utility of that House would be best preserved by preventing it from becoming an aristocratic senate on the one hand, or a democratical assembly on the other. Such a House he hoped they had obtained, under whose protecting influence the liberties of the people would ever be found undiminished in their integrity, and co-operating and congenial in the undoubted privileges of the Peerage, and the undisputed prerogative of the Monarch.

Lord *Dudley Stuart*:—I am anxious to notice an observation of the hon. Gentleman opposite, the Member for Stamford, and I am much surprised that it has not been animadverted upon by any hon. Gentleman on this side of the House. Various opinions have been expressed with regard to the dissolution of the late Ministry; various opinions have been set forth with reference to the merits of the Melbourne Administration; but such a declaration as that which has emanated from the hon. Gentleman opposite I did not think any person, either in this House or in any assembly in the country, would have had what I must call the assurance to pronounce. The declaration made by that hon. Gentleman was, in substance, an insult to the late Parliament, or at least to the majority of the late Parliament—it was an insult to the majority, as I believe it to be, of the present Parliament—and it was an insult to the great majority of the nation. The hon. Gentleman delivered it as his opinion that no honest man did, in his heart, approve of the Melbourne Administration. I have only to appeal to the country at large whether they agree with the hon. Gentleman? I, for one, claim for myself the character and feelings of an honest man—as such I stand here; and I tell the hon. Gentleman—I tell the House—and I tell the country, that I did approve of the Melbourne Administration, and that I deeply regret the dismissal of that Administration. Moreover, I tell the hon. Gentleman that in this opinion and in these sentiments I am joined by the majority of this House. I have said thus much, Sir, because I could not forbear noticing the wonderful declaration of the hon. Gentleman. I shall now apply myself to the question before the House. I am free to admit that I feel some embarrassment upon the present occasion. I have no wish whatever to join in any factious vote. I have no wish to give to the present Administration any factious opposition. That declaration I have already made to my constituents on the hustings—that declaration they were pleased with, and they approved of it. It is a matter of indifference to me as to who are the men to rule this country, provided the measures to be propounded by them are such as I can approve of, and which should justify the fair expectations of the country at large. But I confess, Sir, that I cannot concur in the Address proposed, because the Speech which we have heard from the Throne does not give me satisfaction; and is one which ought not to satisfy the House. There are in it, certainly, many things which I am glad to hear—there are many portions of it of which I approve. I was rejoiced to hear that the attention of the Government was to be paid to the state of the agricultural interest, which, I think, has hitherto been too much neglected. I say I was glad to find that some measures were in contemplation for the purpose of relieving this most important interest. It afforded me pleasure to hear that a measure was in contemplation intended for the relief of the Dissenters to a certain extent; and I heard it with still more satisfaction stated by the right hon. Baronet, that the measure alluded to in his Majesty's Speech was not the only one intended to be proposed. If, Sir, I find fault with the Speech from the Throne, it is not so much for what it says, as for what it has omitted; and certainly I do consider that with its omissions, the Speech is one which this House cannot be pleased with, but that it must regard it with the greatest dissatisfaction. If, Sir, I have not been satisfied on hearing his Majesty's Speech, the declarations which have been made by his Majesty's Ministers, and their supporters, have not been of a nature to remove that impression. The right hon. Baronet, the Chancellor of the Exchequer, has excused himself from giving any pledge to any measure with regard to Municipal Reforms, by stating that the report of the Commissioners appointed to inquire into the state of Municipal Corporations was not yet laid before the House. This method of excusing himself certainly appears very plausible. The right hon. Baronet says, "Let us wait till we have further information;—let us see what the contents of the Report are;—and then let us decide upon what are to be adopted measures." If the right hon. Baronet had said something with reference to another Commission of no importance—if the Speech had alluded to the Commission appointed to inquire into the revenues and state of the Irish Church in the terms in which it spoke of the other Commission—I would have voted against the Address. The right hon. Baronet took great credit to himself for every thing. He came forward to say that he took upon himself the entire responsibility of assuming the Government of the country, and then stated the measures which he intended to introduce. Some hon. Gentlemen, however, have said that he was not sufficiently explicit—that they did not know what line the right hon. Gentleman intended to pursue, or what measures he would introduce. But if any man entertain a doubt as to what the right hon. Gentleman means to do, can any one man doubt what he does not mean to do? He has stated, in point of fact, that whatever might be the report of the Commission of Inquiry into the revenues and state of the Irish Church—that, whatever may appear to be the amount of the revenue of that Church—whatever may be the numbers of those for whom those revenues are intended to be applied—however disproportionately, even though they be ten times or a hundred times larger than can possibly be required—still, that he is determined not to apply this Ecclesiastical property to any other but Ecclesiastical purposes. Do I find fault with this declaration? Not at all, because, knowing the opinions which the right hon. Baronet holds on this subject, I think it was at least manly and candid on his part to state them. But with the opinions I hold I cannot support him; and I think that those opinions which I entertain should be those of the majority of the House, and that they will not support him. I cannot think that any Government acting upon the principles of the right hon. Baronet ought to stand; and, therefore, I oppose the present Administration. I hope that no hon. Gentleman on earth will imagine that I am not animated by a due and proper regard and reverence for the doctrines of the Protestant Church, in which I was brought up. I yield to no man in my attachment to that Church, but I have yet to learn that the best method of disseminating the doctrines of any Chuch is to have its coffers full; and that in proportion to its riches, so are its doctrines propagated. I rather think, Sir, that if hon. Gentlemen will investigate the state of the Establishment in Ireland, they will find that the Protestant Church has not succeeded in making proselytes. There is another topic in the Speech upon which some remarks were made by the supporters of his Majesty's Ministers, to which, perhaps, no person would have adverted except in terms of approval. But it seems they find that his Majesty continues to receive the most friendly assurances from Foreign Powers. This is what was heard with great pleasure; but with no pleasure or satisfaction whatever have I heard the supporters of his Majesty's Ministers congratulate themselves on the increased degree of confidence evinced by the despotic Powers of Europe! Who, Sir, are the persons who felt this increased degree of confidence towards our Government? I consider that they are the despotic rulers of Austria, of Russia., and of Prussia. The right hon. Baronet deprecated the course which is sometimes pursued in this House of loading with personal obloquy and strong vituperation the persons who possess power in despotic Governments. I join the right hon. Baronet in thinking such a course indecent and indecorous, and as tending to injure the cause which is meant to be advanced. Sir, I have never adopted that course; but I denounce the public acts of those Powers! Can I consider the increased confidence of those men as matter for congratulation whose policy has been at all times to crush the very name of liberty, wherever she has dared to raise her head? When I recollect the conduct of one of these Governments lately, at Frankfort—and more recently in Switzerland—interfering with the just rights of the people of that country, and attempting to bully them out of their privileges, which it has always been their pride and glory to maintain—when we hear of arrangements being made for erecting fortresses on the very frontiers of this gallant country,—when I recollect that another of those Powers is inimical to our interests in the East of Europe, and that we do not hear of any disarming of that Power, no withdrawal of troops from the frontiers of Turkey—when we know that a Russian fleet remains in the Black Sea—and when, above all, I consider that all the three despotic Powers are the spoliators of Poland, I confess I feel no satisfaction that they have the confidence of our Government. When I name Poland, I speak of that country whose very name no man can utter without admiration for her past achievements; and no true lover of liberty can think of her without feeling that her interests are bound up and identified with those of every free country. When I consider that the three Powers have oppressed and destroyed Poland—that they have done this in violation of treaties, and in derision of those which were made with us, and in a manner to humble us in the eyes of all Europe, and to make us cut a miserable figure—when, I say, I consider all this, I lament that any person should congratulate us on the increased confidence of these Powers? What is the meaning of this confidence? How are we to define it? Do these Powers entertain the hope that we shall continue to suffer them, when it suits their policy, to trample under foot all treaties formed with us, and that we shall sit quietly by to be humbugged by this said confidence? I, for one, am afraid that this is the feeling. When a change took place in the Administration of the country, and I heard that the Duke of Wellington was Secretary of State for Foreign Affairs, many persons told me that the Duke would bring his talents and vigorous mind to bear—that he would assert the honour of this country in a manner which had not been pursued by the preceding Government. I did not think that the preceding Government did this in the manner they ought, and I have always been ready to say so. I thought so with reference to the Administration of Earl Grey. I never hesitated to oppose them in their foreign policy, in which I think they were wrong [*Hear, hear.*"] I thank the hon. Gentleman for that cheer, for it affords me the opportunity of saying where they were wrong. I tell him an instance in which they were in error—in which they were so wrong that this country will lament it for many years. I think they were wrong when they neglected the great and glorious opportunity of saving Poland. If we had had a man at the head of the Councils of this nation of a comprehensive mind, to see the result of our interference at that time in behalf of Poland, not for the purpose of interfering in her internal policy, but, for the purpose of enforcing treaties; this would have been a legal interference, and no infringement upon the principle of non-interference. If this had been done Poland would have been saved, and a great and just barrier would have been placed in the centre of Europe against the designs of the neighbouring Powers. One great Power had never ceased to aim at endless power. But should we be blamed for opposing her with all our energies? I have, I fear, taken up much of the time of the House, and perhaps my zeal in the cause of Poland has betrayed me too far, but I could not restrain the expressions of my opinions, and I now return to the subject more immediately before the House. I wish I could feel any satisfaction in supporting the Amendment; but I really think that there is a great deal which is objectionable in it. My principal objection to the Speech from the Throne is that no mention is therein made of the inquiry into the Irish Church; and I think it would have been much better if the Amendment had embodied this subject, expressing, at the same time, our regret that the Commission has been overlooked as one of no importance, whilst others are noticed in a very different manner. This would have been a defined proceeding, for at present the matter may be explained by one person in one way, and by a second in another. I regret, also, that my noble Friend should have adopted the expression of dissatisfaction at the late dissolution. I don't know, after all, whether we are called upon to use any such expression of such regret. I dislike that expression the more because another reason given for the regret felt at the late dissolution is, that it has interrupted and endangered the carrying on all those Reforms which ought to be effected. I do not think it has endangered those Reforms. For these reasons then, Sir, the Amendment is not framed to meet my satisfaction on the one hand, but on the other hand I cannot vote for the Address, because that would evince an expression of confidence in the present Ministry, for whom I cannot vote. They have not my confidence when they do not possess that of the country, but of foreign despotic Power.

Mr. Sergeant *Goulburn* said, that in asking for the courtesy of the House to a Member coming among them for the first time, he should endeavour to compress what he had to say within the narrowest possible compass. With regard to the form of the Amendment, it was conceded on all hands that it was not what it pretended to be; that it professed to be one thing, but its real object was evidently another. He had always understood, that with every assembly of Englishmen, and particularly with an English House of Commons, if one thing told more than another, it was plain truth speaking, and fair dealing. Now he would assert that the Amendment was a false and pretended Amendment. It was framed with a view to obtain some few votes from the unwary. It professed to add to the Address something which the noble Mover of the Amendment had himself called milk-and-water but under which he (Mr. Serjeant Goulburn) contended lurked gall, and bitterness, and party faction. He would, however, pass that by, and proceed at once to consider what was really the question which the Amendment was intended to raise. It was conceded, he believed, that it raised this question; "Shall we, or shall we not, eject the present Ministers,—and eject them without a trial?" In other words,—"Shall the King be forced back, against his will, to the Melbourne Cabinet?" He thought that no individual could have listened to the speeches on the other side and not have come to this conclusion—that, mixed as their politics might be, widely varying as they did in every possible sentiment, yet, for a very short space of time, they had agreed to combine for the purpose of bringing back the Melbourne Cabinet.—["*Assent from both sides.*"]—He would state some few reasons why he believed that upon this question, he would not only say this House, but the country at large, was against them. The first objection he had to such a course was, that it was interfering with the undoubted prerogative of the King. And, moreover, it partook of what, from the short time he had been in the House, he believed to characterize the conduct of Gentlemen on the other side—disingenuousness; professing one thing, and meaning another. They told the House that the King had a free choice with respect to who should be his Ministers; but what sort of a choice. Was it a free choice? No; but that the Sovereign was free to choose certain individuals whom they should prescribe, but obliged to reject all others. Free in this respect—that no matter what the capabilities for office might be, what the talents, or what the integrity might be, those Gentlemen would concede only this, "You shall take one party, and you must reject the other." He had a right to argue thus. Let them look to the nature of the choice which these Gentlemen would give to the King on the present occasion. They said, we will have back, at all events, the Melbourne Cabinet.—[*Here there were some cries of* "*No, No!*"]—Then he would ask,—whom else would they have? That one single question put them, in his humble judgment, altogether out of the argument. Had any one ventured to tell the House whom they meant to have? He might, indeed, except the name of the hon. Member for Middlesex. But he believed Gentlemen would not go with him; at all events, whatever the hon. Gentleman himself might think, he was sure the country would not have him at the head of the Administration. If, then, there be a Government at all, it must be by the return of the Melbourne Cabinet. He did not mean to say, that hon. Members might not now dissent from his proposition, now that they perceived its bearing against their argument, but if the House dissented from that proposition, again he would ask,—what Cabinet would they have in place of the present one? Let them look a little to the parties who composed the late Cabinet, and those who constituted the present. Upon this issue, (to use the language of his profession) he would put himself upon his country. Would they take the great Seal from Lord Lyndhurst who now held it, and transfer it to Lord Brougham. He would not appeal to that House only, but he would go into every dwelling of every individual constituent in the country; and would ask, whether any man would endure a comparison between those two individuals. It had been admitted by the other side, and by their advocates out of doors, that what had long been wanting in the Foreign department of this country was an individual possessing a comprehensive mind. Would they take the Seal from the noble Duke who now held that office, and put in his place the rejected of Hampshire. Upon that question he would go with hon. Gentlemen to his country. There was not a single individual, high or low, throughout the empire, who would not scout the comparison. Again, with respect to the Gentleman who should be the leader in this House, were they, he would ask, prepared to cashier the right hon. Baronet. If so, he would put this plain question to them—whom would they have in his place? Whom would they have in the place of that right hon. Gentleman whose presence restrained him (Mr. Serjeant Goulburn) from speaking in terms corresponding with the feelings of admiration he entertained for his great talents? Not only had that right hon. Gentleman the confidence of the great majority of those whom he (Mr. Serjeant Goulburn) now saw around him, but he had, also, the confidence of nine-tenths of the people of this country. If he were not to lead this House, who, he would again ask, was capable of leading it. He put it, then, to the House, whether between the present and the Melbourne Cabinet, any fair or candid mind could make a real and *bonâ fide* comparison. He knew that there were those who, for party purposes, would answer in the affirmative; but he was addressing those who had candour and honesty of heart, and he would ask whether any one of them could lay his hand on his heart and say, that between the individuals he had named, a fair comparison could be instituted? If this were so, if this were the fact, to whom were they to go when the object of the Amendment should be obtained, and the present Government should have been removed from office? Should they go to the late Ministers? Would that satisfy either the House or the country. Upon that question, both the country and the House had come to one conclusion. He knew perfectly well the notion which some Gentlemen on the opposite side entertained. They said, "True it is that we are, of the three parties, the weakest party in number"—and he (Mr. Serjeant Goulburn) would add in talent also. Lord Grey, he admitted, had in a great degree, the confidence of the country, and he felt also the confidence that was due to the talent, integrity, and character of the noble Lord the Member for Lancashire (Stanley) and the right hon. Baronet the Member for Cumberland; but the Melbourne Cabinet, if brought back, must be without these. He knew what was asserted elsewhere, but not avowed here, because everything that was felt was not avowed in that House; he knew it was said by that party—"If you will let us, the weakest party in number and in power, come into office, we will govern you." But how? Why, by the aid of the right hon. Member for Tamworth?—"When we want to destroy, we will avail ourselves of the support of the hon. and learned Member for Dublin, and the Member for Middlesex; but when we want to conserve and uphold, we will then appeal to the high and manly feelings of the right hon. Member for Tamworth. We will beg the aid of his superior talent, for we know he will scorn to alter his opinion, or refuse his assistance whenever our measures warrant it." Thus, between the two strong parties in the State, the third, and weakest, party, sought to govern this country. Now, he must say, that there was something excessively mean in that conduct. He was sorry to be obliged to use the term; but nothing, in his judgment, could be more contemptible than that the weakest party in talent and number should seek to govern by the aid of the right hon. Baronet whenever they wanted it, for the purpose of conservation; and in all other cases by the support of those who scarcely disguised their wish to destroy every established Institution. But he apprehended that even, upon their own showing, they would fail. Nothing, undoubtedly, could shake the right hon. Baronet, or move him from that high and honourable course which he had pointed out for himself; but he was not quite sure that those whom he saw around him on this (the Ministerial) side of the House, would be ready to come down on all occasions to lend themselves to those Melbourne Gentlemen, and fight their battles for them against the hon. and learned Member for Dublin; and, if not, what would become of the State? Why, under a Government feeble in number and in talent, the institutions of the country would, one by one, be destroyed, and the hon. and learned Member for Dublin would reign, with undisturbed power, over this House and the country. There was a general feeling throughout the country, that the late Cabinet, shorn as it was of its brightest ornaments, was in business most inefficient. The House must have had ample experience of this on many occasions. But there was another reason for opposing their return to power. If the country desired one thing more than another, it was a suspension of political excitement, and, above all, of that turbulent conflict between parties, which was most fatal to calm and dispassionate discussion. The country wanted a firm and good Government—one which would give quiet and repose, and under which good and effective measures would be well considered and adopted. But so long as such a Ministry as the late Ministry should be in office, it would be impossible to obtain tranquillity, because excitement was necessary to their existence,—without it they would cease to live. He most heartily wished, therefore, that the country might arrive at some period of tranquillity, for he often called to mind what the late Mr. Wyndham once observed, that "No wise man would think of unroofing his house to add a new story to it in the hurricane season." He was quite sure that, if the Melbourne Cabinet returned to power, the hurricane season would fearfully prevail. One more reason why he preferred the present Cabinet to the last was, that he (Sergeant Goulburn) could not but think it most important, that individuals connected with Institutions about to be reformed should themselves feel that the work of reform was in the hands of those who wished well to these institutions, and who, whilst professing to reform, had no secret intention to go further, and to destroy them. Thus, as a zealous Church-man, he (Sergeant Goulburn) had no objection to—nay, would cordially join in a Church Reform when conducted by those whom he knew were like himself devoted to the maintenance of her just rights;—but far otherwise must he feel with respect to changes planned and carried forward by men who avowed their wish for her entire subversion,—and so also with Corporate Reform,—if satisfied that Reform only, and not something far beyond it was intended,—Corporate bodies would, he was persuaded, shrink from no fair inquiry. He would conclude by expressing an earnest wish, that, whoever might be the Ministers, they would preserve untouched and inviolate those institutions under which this country had thriven so long and gloriously. One word more;—it was to read a passage which had been just put into his hands by an hon. Member behind him, extracted from Mr. Southey's book,' 'On the Progress and Prospects of Society." Speaking of the sanctuary of our Constitution, Mr. Southey had this remark, which he would recommend to the attention of hon. Gentlemen opposite;—"If ever that sanctuary should be broken, it will be by the combined forces of Popery, dissent, and unbelief, marching together under one political flag."

Mr. *Gisborne* said, that if he felt any anxiety on the present occasion, it was not from any difficulty which he expected to experience in the attempt to answer the learned Sergeant's arguments; for it was not so much his intention to address himself to them, as to state in few words the reasons which would induce him to give his support to the Amendment. Though he was generally, not universally, the supporter of the late Ministry; and though he professed on the hustings in every part of the county he had the honour to represent, that he went into Parliament a decided opponent of the present Administration, yet he would not, on that account only, have given his vote for the Amendment on the Address, because he did not think that the best occasion for trying the strength of party, or of demonstrating the want of confidence in the Administration. He should not, therefore, have adopted this course on the present occasion if he had not thought that, from the terms of the Address itself, and from the circumstances in which the country stood, an absolute necessity for moving an Amendment was imposed upon himself, and those Members of the House who entertained kindred sentiments with his own. He would, in the first place, go to the very last point adverted to in the Address, and give his reasons why he thought the House was called upon to express an opinion as to the dissolution of the last Parliament. One intelligible reason for the dissolution of the late Ministry was, that his Majesty was advised to think, and did think, that the country agreed with him in supposing that that Parliament was proceeding in measures of Reform without a due regard to the preservation of the great institutions of the country. Now, he apprehended that no Gentleman in that House would maintain that the last Parliament was so unreasonable a body of men that no Ministry could be found to which that Parliament, on its own principles, would afford support, out of the dissensions in the late Ministry, if they really had any existence, though he firmly believed they had not. No necessity, at all events, could have arisen for the dissolution of the Parliament, even if they afforded any ground for the dissolution of the Ministry. The right hon. Gentleman was now extremely desirous to identify himself with the principles of Lord Grey. "The measures," said the right hon. Baronet, "which Lord Grey's Government supported I support; the measures which Lord Grey's Government opposed I oppose. The right hon. Gentleman endeavoured to produce the impression, that the principles on which his Government was to be conducted were, in fact, the principles of Lord Grey. Then he (Mr. Gisborne) asked, why was it necessary for the right hon. Baronet to dismiss a Parliament which was ready to act upon those principles—a Parliament which had given Lord Grey's Government the most determined, continued, and decided support. The supposition was absurd—it was totally inadmissible; and they must, therefore, revert to that which he had before stated. The King had put a question to that House, and it would be neither manly nor straightforward in that Parliament, nor respectful towards his Majesty, if they did not give him an explicit answer; if he (Mr. Gisborne), for instance, as the Representative of a large constituency for the second time, did not say to the King,—"Your Majesty has put this question to my constituents; they direct me distinctly to inform your Majesty, that they entertain no such opinions of the past conduct of that Parliament—no such anticipations of the future." On these grounds, he maintained, that the present Parliament could not pass by the question of the dissolution—on these grounds it was, that the necessity for an Amendment on the Address arose. The next point to which he was desirous of adverting, was the claims of the Dissenters. In the Address allusion was only made to one single point of relief—relief from the disability of being compelled to perform the ceremony of marriage according to the rites of a Church from which they conscientiously differed. He did not deny that this part of the Address was satisfactory as far as it went; but if it were the right hon. Gentleman's intention to bring in a similar Bill to that which had been introduced by the noble Lord, the late Chancellor of the Exchequer, he apprehended that it would not receive the support of that House. He should be very happy to hear that the Dissenters were to receive from the hands of the right hon. Baronet a more satisfactory settlement of this question. He came next to the subject of the admission of Dissenters into the Universities; and on this point he must take the right hon. Baronet's speech in conjunction with the Address. He had said, unequivocally, that what the Dissenters demanded was, to be placed by Parliament on terms of perfect equality with the remainder of their Christian brethren. In reply to that demand, the right hon. Baronet said,—"I cannot admit you; my principles will not permit me to admit you to the Universities. I do not even intend to allow you to confer similar degrees by bodies of your own enacted by law, and which shall have equal force and validity. But," said the right hon. Baronet, "there are certain bodies in this kingdom with whom I stand on very good terms. The late Government were sad fellows, and always at variance with the constituted authorities of the country. We, however, are differently situated; I cannot give you an Act of Parliament, but I will procure you a resolution of the College of Physicians: I will get you a vote of the Benchers of Lincoln's-inn. Take these as securities for your claims, and do not press me further." Did the right hon. Baronet really think that the Dissenters would be satisfied with such smooth-tongued and hypocritical securities? Did the right hon. Baronet seriously imagine the Dissenters would be left at the mercy of the College of Physicians? And was this an answer which it became a Minister of the Crown to give those who claimed, and claimed justly, to be put on a footing of perfect equality with the rest of the community? They required the security of laws. Were the resolutions and votes of these different bodies like the laws of the Medes and Persians, that could never be reversed? Were the Dissenters to be left in their hands? They must be very different in spirit, and in a due assertion of their own claims, from what he supposed them to be, if they would not reject with scorn and indignation the proposal of the right hon. Baronet? The next point was that of Church-rates: considering the extent to which that question had been agitated, he thought it would have been a very becoming thing to introduce it into the King's Speech. The settlement which the right hon. Baronet proposed would he was confident, be unsatisfactory. He simply proposed that those who sustained the burthen should receive from the hands of those whom they had never considered as their friends the very same species of relief that they had refused to accept from the late Government. With reference to the Church of Ireland, he thought the House was bound to recognise in its Address to the Crown that the dissatisfaction which prevailed in Ireland did not arise solely from the tithe system (the only source mentioned in the speech), but out of the state and condition of the Irish Church itself. He would not enter into that question, however, as an hon. Friend of his had promised to afford the House an early opportunity for its discussion. He would merely say, that he considered it an omission in the Speech which no one who thought with him could avoid endeavouring to remedy. With regard to Corporations, the right hon. Gentleman had said to the House, "I use nearly the same language to you as Earl Grey's Government did; you were satisfied with that: why are you not satisfied with me?" He would tell the right hon. Gentleman why the Dissenters should not be satisfied with the same language from him. Earl Grey had given them the 10*l.* franchise in cities and boroughs. Earl Grey had opened the Scotch corporations in the way in which, in his opinion, Government ought to open the English Corporations. What, on the other hand, had been the course of the right hon. Gentleman and those with whom he acted? A Bill was brought into the House to restrain the application of Corporation Funds to election purposes. The right hon. Gentleman, and that Member of the Cabinet who was supposed to be most nearly connected with him, were two out of the three persons who spoke in opposition to the measure. That Bill went up to the House of Lords. Lord Chancellor Lyndhurst also spoke in opposition to it, and he would read to the House the words which my Lord Chancellor Lyndhurst used on that occasion, in procuring its rejection for the second time. The hon. and learned Member for Leicester had recommended a particular book to his (Mr. Gisborne's) consideration. He would take the liberty, as he represented the town of Leicester, to recommend to his particular and special consideration the opinion of Lord Chancellor Lyndhurst on this particular subject. The Lord Chancellor argued, in the first place, that the Corporations ought to have influence in elections. He had no doubt whatever that the hon. and learned Member for Leicester was exactly of the same opinion. The noble and learned Lord then proceeded to say, "they make use of their funds as other individuals do, in correct and proper expenses incident to an election. What is that? I will take the case of the Corporation of Leicester. A great part of the expense of 27,000*l.* arose in bringing an immense number of out-voters from London. Bringing out-voters cost Mr. Evans 20,000*l.* and the Corporation 27,000*l.* He (Mr. Gisborne) begged to assure the House that this quotation was perfectly accurate; every syllable of it was taken from the "*Parliamentary Debates.*" The noble Lord added, "I see nothing unconstitutional in a corporation applying its funds in order to maintain a due influence in the town where they reside." Now, considering the speech of the Lord Chancellor, and the course which the right hon. Gentleman had himself taken with respect to Corporations, he could not be very much surprised that the House should be unwilling to remain satisfied with the assurance he had given in the speech, that the Report of the Corporation Commission should be laid on the Table of the House. No; the House meant to go farther; they would test the honesty of the Reformers; they would ascertain which of the Reformers, after having professed popular principles, and having ever stood by popular constituencies would assist the right hon. Gentleman in giving the go-by to this plain and intelligible principle (he would use the words of the Amendment)—the principle that our "Municipal Corporations shall be placed under vigilant popular control." If the right hon. Gentleman had ever stepped forward to recognise the present state of those Corporations as a grievance and an abuse, the House might have had some hopes of him; but he was a ticklish person to deal with on such subjects. There was but one way of proving any considerable abuse to him, and that was by a Parliamentary majority. Therefore, he would say to the House, keep your majority together, for the moment you part with your majority, you part with the only argument by which, on the subject of a grievance or an abuse, you can hope to convince the Minister. If you want to prove the existence of a grievance and abuse to the right hon. Gentleman, you must not prove it by argument—no; you must not prove it by evidence—no; you must not prove it by assertion—no; the right hon. Gentleman had a particular objection to something which somebody might call a grievance or an abuse—no; you must prove it by a Parliamentary majority. That was the only way to prove to the right hon. Gentleman that the Test and Corporation Acts were a grievance and abuse; it was in that way it was proved to him that the state of the Catholics in England and Ireland was an abuse. It was in that way it was proved to the right hon. Gentleman, though he was not quite sure that the right hon. Gentleman was even ready to admit it now, that the rotten boroughs were an abuse. He believed that, throughout the whole course of his Parliamentary career, the right hon. Gentleman had never, or hardly ever, come forward, of his own accord, to recognise any considerable grievance or abuse. He did not deny that the right hon. Gentleman had effected reforms—and many very useful reforms too—in matters of detail; but he had steered particularly clear of admitting all abuses which could in any way whatever alter the seat of power. If this had been the course pursued by the right hon. Gentleman, why was he to call upon the House to put their trust in him on the subject of Corporations? The right hon. Gentleman told them that he had nothing in common with these Corporations, and could have no interest in objecting to reform them. Why, if the right hon. Gentleman did, it would be worse than suicide; it would be an absolute case of *felo de se,* not even to be accounted for on the ground of temporary insanity. Having adverted to these reasons why he considered the Amendment necessary, he would now proceed to touch upon two or three points arising out of the right hon. Gentleman's speech. The right hon. Gentleman, in the course of his address, had congratulated the House on the prospect he had of the satisfaction which the formation of the present Government would afford to the great powers of Europe. It was, indeed, a proud day for England, when the mild and beneficent King of Poland, when the paternal ruler of half Italy, when the ex-Kings of France and Portugal, and the rebel Pretender to the Crown of Spain, were rejoiced at the appointment of an English Ministry; when the Court of Petersburgh was propitiated by the selection of an Ambassador of sentiments kindred to its own. London, and Edinburgh, and Dublin were disgusted, but there was joy in Petersburgh, and Berlin, and Vienna. It was only an exchange of confidence. The last Government was trusted in the three metropolises of the British empire; the present Government was trusted in the metropolises of central and eastern Europe. The right hon. Gentleman gave them this as a ground of consolation. It reminded him of a subject of consolation put into the mouth of the Prince Regent by the author of "*The Twopenny Post-bag.*"

> "We have lost the warm hearts of the Irish 'tis granted;
> But then we've got Java, an island much wanted
> To put the last lingering few who remain
> Of the Walcheren warriors out of their pain."

The next point to which the right hon. Gentleman adverted was the division of parties on this side of the House. "Oh," said the right hon. Gentleman, "you are disunited in your principles; some of you are content to stop at the Reform Bill, and some of you want to go a great deal further!" Were hon. Members so very united on the other side of the House? Was the right hon. Gentleman, the Member for Essex, whom he was happy to see in his place, so completely regenerated, had he so thoroughly renounced the errors of his youth and manhood, that he should be identified in principle with the right hon. Member for Kent, and the right hon. Member for the University of Cambridge? Did the whole of the present Government adopt the sentiments of the noble Lord the Member for Norwich (Lord Stormont)? Were they all exactly imbued with the principles of a gallant Colonel—he was not certain whether the gallant Officer was then in the House; if so, he hoped the gallant Officer would excuse what he was going to say, for he begged to assure him that he had no intention of making an attack upon him—a gallant Colonel who might be designated as the concentrated essence of Orangeism in Ireland? Was the Government exactly identified in principle with the Member for the University of Oxford? If so, he should like to know in which order the conversion had taken place. The right hon. Gentleman had attacked the Reformers about their principles, and what they had said upon them, and quoted some words out of a speech or letter of the hon. and learned Member for Dublin? Had nothing been said on the other side? Had the right hon. Gentleman heard of no very eminent Statesman who said that he saw no public ground of confidence in the present Administration? Had he not heard of any very eminent Statesman who had said that the present Administration was composed of the worst possible materials, of men who had been employed all their lives in promoting bad Government, and opposing good? Could the right hon. Gentleman stand a day—could his Government stand a single day—without the support of the Gentlemen who used that language? Did ever any Government stand in so humiliating a situation? And when was it—when was it that that letter of the hon. and learned Member for Dublin was written? "Only in October last," said the right hon. Gentleman. Why, he had been told, though he totally disbelieved it, that yesterday, and the day before, and perhaps the day before again, negotiations had been going on, the object of which was to cement a most unnatural union between those who had used these expressions, and those to whom they were applied. Why, when were these expressions used? One month—one little month—before the meeting of Parliament—

> "Thrift, thrift, Horatio! The election bak'd meats
> Did coldly furnish forth the marriage tables."

He totally disbelieved the report to which he had just alluded. He did not believe it of the high-minded Representative of the House of Derby; neither did he believe it of the Statesman—he had almost said the Whig-Radical Statesman — who denounced the Prime Minister, who denounced the Bishop of Exeter, who four years ago had two or three notices standing on the Order-book, on any one of which he was prepared to turn out the Administration of the Duke of Wellington. He did not, and would not, believe that these individuals would consent to this unnatural union. But the right hon. Gentleman who taunted the Opposition with their divisions of opinion must depend on the noble Lord (Stanley), and on the right hon. Gentleman (Sir James Graham), and them only, for his support. Why, what a miserable minority would the right hon. Gentleman's Government be left in on the very first division on which that party deserted him! Did he suppose that he could trim his boat so nicely between absolute principles on the one hand, and liberal principles on the other, that he was never to lose the support on the one side of the Representatives of the University of Oxford, and on the other of what he might call the Stanley party? On the whole, he thought the right hon. Gentleman might have chosen any topic with greater propriety than that of taunting the Reformers with divisions. But let the House consider a little the principles of the Gentlemen in office. A noble Lord, not now in his place, who was a stanch supporter of the present Ministry, had given notice of a motion on the subject of the Malt-tax. He said, "I want a reduction of five millions of taxation for the relief of the agricultural interest, and I will have it. I must have the Malt-tax taken off; that is a *sine qua non.*" "I hope, said the right hon. Gentleman, if everything goes well, that at the end of the Session I may have 500,000*l.*" No doubt, the right hon. Gentleman would give this relief to the agriculturists. He only regretted that the tax on shepherd's dogs and tax-carts had been taken off, because it would have been a reduction exactly suitable to the means of the right hon. Gentleman. Mr. Speaker, (continued the hon. Member), I do not know whether you have heard it, Sir, but when you were placed in that Chair, a very unfortunate effect was produced on public confidence. The funds fell to the extent of one and a quarter per cent.; indeed, so distressing is the state of the money-market at this moment, that I believe Consols for the April account are not higher than ninety-one five-eighths, or three-fourths. He should like to know to what extent the funds would fall on the day that the Marquess of Chandos carried, as he most assuredly would, his motion for the repeal of the Malt-tax. This was one of the right hon. Gentleman's own supporters, mind; the Gentleman who was to carry that motion did not belong to their disunited side of the House. It was to the Ministerial side of the House that he belonged—that side so remarkably united in principle, who said such remarkably fine things of one another, and who were so exceedingly harmonious as to all their measures.—There was another point on which he would say a very few words—he meant the demand for a fair trial. On two or three occasions the right hon. Gentleman had claimed from the House a fair trial. He assured the right hon. Gentleman that he for one should be extremely glad to give it him, if he could at all ascertain either what the point was he calls upon them to try, or to whom he addressed his appeal. If they were to try whether the right hon. Gentleman—he would use the word he was about to utter without the slightest disrespect—had been an apostate to all his former principles, that he could very well understand to be an intelligible point; but he negatived that idea himself; for he told the House, and he told the country in a public address, that he would not be an apostate to his former principles. Well, then, to whom did the right hon. Gentleman address himself? He did not address himself to his supporters on that side of the House; they had no occasion to try him; for they were perfectly satisfied with him already. He made this appeal then to the Opposition. He said, "I have not changed my principles; they were always as widely different from yours as are the poles asunder." He (Mr. Gisborne), was about to refer to the right hon. Gentleman's own expression. "Your principles (he says) always were, that reason and knowledge were the proper foundation of power; my principles have always been, that prescription is more valuable than either of them." Now he could not conceive any two things differing more entirely or more essentially than these principles. The consequence must be, that (the Opposition) to whom the right hon. Gentleman addressed himself, had been occupied all their lives in endeavouring to counteract his principles. When he was in power they had got him out as soon as they could; they had kept him out as long as they were able; but now he said, "My principles remain the same as they were a year or two back. I ask you to take me back once more, almost admitting your power to reject me, and see whether you can make those principles of mine, to which I will not be an apostate, a little more palatable to yourselves." All he could say was, that he would not take the right hon. Gentleman back on any such speculation. But the right hon. Gentleman used another argument to induce the opposition to give him a trial. He said, "I have the power of preventing the House of Commons from coming to a collision with the House of Lords. It is true, I have a majority against me here. Did the right hon. Gentleman deny that? [The *Chancellor of the Exchequer, across the Table*, "No."] He believed the right hon. Gentleman had a majority against him the other night. "It is true," says the right hon. Gentleman, "I had a majority against me here, but I can command a large majority in the House of Lords." This was the most singular argument that ever Minister addressed to a free country. It was the most singular argument and the least conservative of the rights and privileges of the Commons of England that ever was addressed to them. Without any equivocation and without any ambiguity of language, he would claim for the Commons of England the right to determine who should be the Minister in this country. He would claim it negatively as to persons, but positively as to principles. There was another topic; he was not sure whether it had been adverted to in this House, he believed it had been referred to in the other House of Parliament, and he must own that it appeared to him, that it ought to have been preliminary either to the Address or the Amendment. He considered that they had a right to know from the right hon. Baronet on what terms they sat there. He had a right to know from him whether they were at liberty to come to more than one division? or, to put the matter in the plainest terms, whether their existence as a Parliament depended on their supporting the present Ministry. They had a right to know, from the right hon. Baronet, whether, having made an appeal to the people, he meant to abide by it? This was no new question to be asked of a Minister. In the year 1784, the question was repeatedly asked, and every time answered. There appearing more than once to be some ambiguity in the answer given by the Minister, the Parliament addressed the Crown upon the subject; the Crown gave an answer to the Parliament, and declared, it should not be dissolved. He would press the right hon. Gentleman to answer this question. If he did not answer it, they should know what confidence he deserved from that House and from a great and determined people. There was only one other point on which he would trouble the House. He knew that many hopes on the other side of the House were built on the supposed impossibility of a Government being formed out of those who composed the Opposition; on that point he would only declare, first, his confidence, and next his wish. He had not the slightest doubt that a Government could be formed on this side of the House which would both unequivocally possess, and perfectly deserve, the confidence of the country. But he would not be deterred by any taunts that had been thrown out from the other side, from expressing his hope that when such a Government was formed, it would contain within itself—he would particularize two Members to simplify the case, but he would not take the liberty of using their names—some such men as the hon. Member for the City of London, (Mr. Grote) and the hon. Member for Bridport (Mr. Warburton.) He was confident, that those Gentlemen were the Representatives of a class in this country who were too powerful to be with safety excluded from the Cabinet. He was confident, that men of their steadiness and determination being proposed to office from that class, would go a great way towards giving stability to any Administration, and infusing a just confidence into the bosoms of the people.

Mr. *Patrick M. Stewart* wished to give his reasons for withholding his support from the Amendment. The King's Speech should be looked on fairly, and without prejudice, as an exposition of the principles of the Minister, and the mode in which he meant to carry on his Government, without reference to party views or political antipathies. He was no partisan, he was actuated by no selfish or political feeling, but he was resolved to do his duty to his country, his constituents, and his King. His object was to establish Government on those secure foundations that alone must lead to the solidity and perpetuity of any Government, namely, the advocacy of popular privileges, so far as those rights were not inconsistent with, and alien from, the maintenance of the sacred and acknowledged privileges and prerogatives of other branches of the Legislature. He was, then, no partisan. He wished to support the Government in carrying onward those measures that could justify any Government in demanding the sympathies of the country and the support of her Representatives. He was an unpledged man. He was there to use his judgment as well for the Ministry as for the country, and impartially for both; and reluctantly was he dragged to the determination of voting against those with whom he was wont to co-operate. Yet he was in common conscience bound to look to the professions of public men rather than to the identity of individuals. He was determined to use his own judgment. A few months ago, he was asked for his confidence in Government. Though he was most anxious to try and trust Government yet he could not tender them his individual support without having been first assured of the nature of their measures, and the tendency of their operations. He asked, what was to be said of the Church and Corporation Reform? Confidence was a plant of slow growth, yet, he was anxious to nurture it for a season. Full then of his determination to give the present Government an honest and just trial, he did not, at the same time, lend himself a passive tool to all their measures. It was idle to say, that Reform doctrines were not generally prevalent throughout the country. But, then they were not wild revolutionary Reform doctrines; they were steady and sound doctrines. The Reform Bill altered many of the pre-existing relations of social life. A great disorganization was produced, and now it was the policy as well as the duty of the House to bind up those dissevered relations, and restore the diseased condition of society to vigour, sanity, and health. The speech of the right hon. Baronet (the Chancellor of the Exchequer) cleared up many of the doubts that hung as clouds over the public mind. His explanation was lucid and satisfactory. It contained sound Whig doctrines, and evinced a clear and not to be mistaken disposition to amend those errors in our social and political condition that were heretofore the subjects of so much complaint. That speech would be the subject of much congratulation to the country. Let the House then give Ministers the fair trial they asked for. The Government had a right to expect that. The remarks of the hon. Member for Derbyshire reminded him of an observation of Canning who, speaking of men and measures, and comparing the State to a stage-coach said, the horses were the men, and the measures the harness. He would follow up the illustration. He would not like to change horses suddenly, and without cause. If the measures without the men were retained they might have horses whose necks might be too thick for the collar, and whose heads might be too strong for the bridle. He did not much object to the Amendment, which was a diluted, vague, and unsubstantial thing. While it professed to censure Ministers it merely conveyed the expression of opinions and the declaration of principles that the present Government was pledged to promote. It echoed their principles, though it was levelled at their tenure of office. He did not, however, defend all the King's Speech; its strength was not equal to its length; and on questions of Municipal, Church, and Corporate Reform, he could not say, that it was as decisive, effective and satisfactory as he could wish. But the question was asked, would not you give Ministers a fair trial? That question should be answered, in his judgment, by a decided affirmative. Though he did not approve of all the Speech, yet he objected to the Amendment, which was vague, flimsy, and worthless. After the speech of the right hon. Member for Tamworth, which was so satisfactory on the question of the dissolution of the late Parliament, it would be captious, unhandsome, and unjust to revert to that point. While many circumstances connected with that event were still in doubt or kept in secrecy could there be with any show of justice an objection taken to that exercise of the prerogative? The country was ignorant of all the causes of the dismissal of the Ministers and dissolution of the late Parliament; and in the absence of full proof the House would be going out of its province if it passed a resolution either damnatory or laudatory of that measure. What led to the dissolution of the late Ministry? The removal of Lord Althorp, who was said and believed to be the prop of the Government. It was in the course of nature he should be soon called to the other House by the death of his father, Earl Spencer, so that the dissolution of the Government was a matter to be calculated on in the common progress of events. But it was idle to say, that the same Parliament or the same men should be the constant supporters of the same Minister. Pitt was supported by different Parliaments; why, then, should not the present Premier look to the support of a Parliament different from that which witnessed his accession to office, and which was pledged to oppose him, as much as any Parliament could be pledged to opposition to a Minister? Here was then a Government asking for a trial, giving more explanation than the Administration of Pitt, and why should they not get it? He heard much of the intentions of Government, but before he could confide he would require a proof. He had his hopes and his fears. There were many Reports of the conversion of the Tories to liberal principles. The Tories had changed heretofore, and why not again? And why, if the nation profitted by the conversion, should it repine? Hume, not Joseph Hume, but Hume the historian, said, the Tories had so long talked in a Republican style that they made converts of themselves, and embraced the sentiments of the larger portion of the Administration. So, he now imagined the Tories would amalgamate with the advocates of liberality and Reform, and merge their former prejudices in upholding the common prosperity of the country, and general toleration. He had no wish to lend himself to intrigue or cabal. He merely looked to the interests of his constituents and the empire at large. He trusted that all parties would unite in maintaining the establishments of the State, and checking that spirit of disorganization which some certain persons were fomenting and spreading through the country. He looked for order and allegiance. The present Government, he thought, was calculated to maintain both —its dissolution was little calculated to give security to either.—"If the present Government be displaced, another and a worse Government will be established."

Viscount *Howick* was not surprised that the hon. Member who had just sat down, although he agreed in many of the opinions of those on the Opposition side of the House, should yet have come to the conclusion to vote against the Amendment. It appeared to him (Viscount Howick) that the question the House was now discussing had been much misrepresented in the speeches of the two hon. Members who had immediately preceded him. He was surprised to hear the hon. Member for Derbyshire acquiesce in what seemed to be the extraordinary mis-statement of the question at issue made by the hon. and learned Sergeant who preceded him. The hon. and learned Sergeant had commenced by complaining that the Amendment proposed was not fair, because it said one thing while it really meant another; and then deceived himself, as many profoundly learned men did, by overlooking the plain and obvious sense of the words of the Amendment, and attributing to it some hidden and mysterious meaning which those words were never meant to convey. The learned Sergeant had proceeded to contend that the object of the Amendment was to eject the present Government from office, and to restore the late Government. He could only say, that this did not appear to him to be the plain import of the words, and it was not the sense in which he, for one, supported the Amendment. The Amendment implied, as he believed, simply this—that the House distrusted the promises of liberal policy and reforming measures which had been made to the House by his Majesty's Ministers, and that it disapproved of the recent dissolution of Parliament. He would ask, then, how could any man who had supported the policy of the last Government for four years refuse to concur in the propriety of this Amendment? Were the promises held out to them by Ministers of a kind to be satisfactory to the House and the country? Nay more would these promises, even if they had been much more liberal than they really were, have given satisfaction, coming from those by whom they were made? In his opinion, never had there been a season in the history of this country in which it was of more importance than the present that the reins of Government should be placed in the hands of men capable of using them with firmness, and yet with moderation—of men endowed with the sagacity to foresee difficulties while still at a distance, and to provide that sagacity which became those who were desirous of meeting difficulties, and providing for the coming storm; above all, in the hands of men who were gifted with that most rare and most precious of all the qualities of a statesman, the art to know how to yield in the right place and in the right season—men, who knew when and where concessions were wise and necessary—when and where they were dangerous and inexpedient. And if, in the present juncture of affairs in this country, and still more so in Ireland, it was of the deepest importance that the reins of power should be held by hands like those, did his Majesty's present Ministers answer that description? Of the right hon. Baronet opposite he could not help saying, that in the particular art to which he had alluded—the art of knowing when in due time to give way—he had shown himself signally and fatally ignorant. He required only to mention the Repeal of the Test and Corporation Acts,—the still more momentous question of Catholic Emancipation,—the question of Parliamentary Reform, preluded as it was by the long discussion upon the disfranchisement of East Retford—he had only to touch upon those points to satisfy every man who heard him on either side of the House, who thought those measures were good in themselves or were evil,—the hon. Member for Kent, who resisted them all,—the hon. and learned Member for Dublin, who went far beyond him (Viscount Howick) in his opinions, of what were requisite,—all—every Member, of every shade of opinion, must agree that the right hon. Baronet, in his past conduct, had shewn himself deficient in sagacity, in discovering dangers even when they were close and obvious to the most casual observer. He had shown himself to be a pilot who, though loudly and repeatedly warned, would never admit that there were dangers before him until the vessel of the State was in the midst of the breakers. When he had said this, he was bound, at the same time to do justice, to the right hon. Baronet. He was willing to acknowledge, and with the utmost satisfaction he did acknowledge, the truth of that which the right hon. Gentleman himself stated the other night—namely, that during the last two years his conduct had been very different from that of many others by whom he was surrounded. In the conduct of the right hon. Baronet during that period he thought he saw a proof that the lesson — the dearly-bought lesson which the result of past years was calculated to teach — had not been thrown away. He thought he saw a proof that the right hon. Baronet had profited by experience, and that he was now more fully aware of the exigences of the times, and of the real feelings and wishes of his countrymen, than he had formerly been. He entertained that conviction so strongly, that he willingly confessed that he far less differed in his views of policy, and the general interests of the country, from the right hon. Baronet, than from many of those in whose company it was now his (Lord Howick's) fortune to be placed. But the character of one in an Administration, was not to be taken as that of the whole, and he could not help looking at the manner in which the other offices of Government had been filled up. He found that by far the majority of the working and subaltern situations in the Government were filled by men of extreme opinions. He found more—he found that the three great offices of Secretaries of State, were intrusted to the very last hands in which, in his opinion, they should have been placed. Of the right hon. Member for Cambridge University, who was now charged with the superintendence of our domestic affairs—more than that, with the affairs of Ireland—he would say no more than this —that by his conduct in that House, he had shown no indications that any change had taken place in his opinions since the time when he was the Representative of the close, the Ecclesiastical, and the Orange borough of Armagh. With respect to the two other Secretaries of State, they who were intrusted with our foreign relations, and the interests of our colonial empire, they were individuals whose conduct during the last two years had been the very opposite of that of the right hon. Baronet. While he had the satisfaction of supporting the late Government, and of holding a subordinate office under it, he generally had the pride of finding the opinions he entertained approved of by the high authority of the right hon. Gentleman; but, he would ask, what, during that time, had been passing in the House of Lords? Did any man who heard him doubt that if the conduct of the right hon. Baronet's party in the House of Lords had been similar to that of the right hon. Baronet in the House of Commons, that his noble Friend, the Member for Lancashire, and those who were with him, who had left the Government to which he belonged, would still have formed part of the Administration which then existed? He heard an expression of dissent, but he was sure his noble Friend opposite would confirm what he said, that the causes which led to the gradual change in that Administration, and ultimately to its final removal, were mainly to be traced to the constant embarrassments which had been thrown in the way of those who wished to carry the very measures which it was now acknowledged must be carried, by those very individuals who had opposed the former Administration; but for those difficulties, had that Government been allowed to proceed in the manner in which it was anxious to go on, it probably would have had the strength that would have enabled it to survive those other causes which contributed to defeat, and ultimately entirely to break it up. Of the Opposition in the House of Lords, the Duke of Wellington and Lord Aberdeen were the two most active members. They lost no opportunity of thwarting and embarrassing the Government in every possible way. Look to the Irish Education question; look at the attempt to fan into a flame whatever prejudices might lurk in the minds of the English people with respect to that subject; look at the pains that were taken to nourish the antipathy that existed in one party in Ireland against another—and all that, too, by men who were now prepared, as the House was to collect from the speeches that had been made, to pursue what had been called a liberal course. Not only that, but in foreign policy, those two individuals had gone a length to which, he believed, never men had gone before, in this country. They thought it not inconsistent with their duty to hold out every encouragement in their power to the King of Holland, to the usurper of Portugal, and to all the foreign powers who were resisting the policy which was pursued by the responsible advisers of the Crown. The principles and opinions which they avowed in conducting that reckless, and he would say, factious opposition, made him entertain the persuasion that, of all men in the world, they were the two most unfit at this moment to be intrusted with the momentous interests which had been put into their hands. With respect to internal affairs, and the affairs of Ireland, there was the control of the House of Commons to correct what was amiss, and to force even a reluctant Minister to give up his place, if he did not follow the proper course; but how different was it with respect to our colonial and foreign policy? How, for instance, could the House know what were the very first instructions Lord Aberdeen had sent out to the Colonies? Talk to him (the noble Lord) of a fair trial upon a point which involved the necessity of committing the destinies of so large a portion of the inhabitants of the earth, into the hands of a man, whose opinions, honestly entertained no doubt, but, therefore, the more to be dreaded, seemed so opposed to the welfare of the human race, so totally at variance with the whole line of policy which had been adopted for the last four years by the late Government. But, then if the composition of the Government was not calculated to satisfy the country, he would ask hon. Members, what they thought of their first act? The very first act was not merely a dissolution of Parliament, but an attempt in every place where, by any means, they could have the smallest influence, to turn out even the most moderate Reformers. The right hon. Baronet seemed to deny that statement, but if, as he had said, his opinions during the last two years were not very different from those of the late Government, he could not help asking why a relation of his own was opposed on the part of Government, in favour of an individual who only two years ago had announced himself a Radical Reformer? The right hon. Gentleman might, indeed, not be cognizant of the fact, but he could tell the right hon. Gentleman who was; the present Lord Chancellor had actually canvassed for votes in favour of that individual. He might also add, that the right hon. and gallant Officer (Sir Henry Hardinge) who at that moment sat near to the right hon. Baronet had done so too. At this stage of the proceedings, however strongly he felt upon the dissolution, strongly as he condemned the measuré, the more so as he thought the result had been to increase the number of persons in that House holding extreme opinions on both sides, and to reduce the number of those who had entertained moderate and sound sentiments—strongly as he felt upon that point, he would say no more upon it, but holding the opinions he did, and believing those opinions were entertained by a very large majority of the country; he thought the House was bound respectfully to lay them before the Throne in the Amendment proposed by his noble Friend. He thought that from doing so two advantages would result; in the first place, he was of opinion that the adoption of this Amendment would do more than any other measure that could be adopted to calm the public mind, and to show to the people of England (and thereby prevent that which some hon. Members were afraid of—further changes in the constitution of that House) that the House of Commons, constituted as it now was, even under the most unfavourable circumstances, fairly represented their opinions, and in that way he believed no further change would be asked for. But this was not all; he looked, likewise, to the effect which the Amendment would produce on the composition of the Government. In saying this, he felt called upon to acknowledge that had he thought the necessary effect of carrying the Amendment now proposed would have been to summarily remove the present Administration from office, he should have had a very great doubt and difficulty in acquiescing in it. He felt so strongly the reasons urged by the right hon. Baronet the other night—so strongly the arguments of his noble Friend the Member for North Lancashire—that he confessed he should not have been without very great apprehensions—he was not quite certain that he could have thought himself justified in giving the vote he was about to give, at all events, not without very great apprehensions and difficulty could he have brought his mind to give a vote that would probably be the means of at once dismissing the Ministry; but he did not see that the carrying of the Amendment need necessarily have that effect. Indeed, he had had the satisfaction of hearing from the right hon. Baronet that he took the same view of it, and that even in the event of the Amendment being carried, he would not consider himself compelled to retire from office. He had heard that statement with very great satisfaction, for although he should deprecate, as one of the greatest calamities that could befal this country, the permanent continuance of his Government, he owned he did not participate in the desire expressed by the hon. Member for North Derbyshire, for the formation of a Cabinet in which the extreme opinions expressed by the hon. Members for Bridport and London should have a preponderating influence. Both of those hon. Members he respected in the highest degree, he rejoiced to see them in that House, and upon a great number of occasions he entirely concurred with them, but still they had so expressed themselves in that House, as led him to fear they were disposed to carry their opinions to an extreme length, and to press on with inconsiderate, and he feared dangerous rapidity, the accomplishment of their objects. He would repeat, he did not think he would have voted for this Amendment, had he thought it would have been the means of removing the present Cabinet at once from office; but he thought a most important object would arise from carrying it, in this way, that without producing the summary and unceremonious rejection of the Ministers, it would apprize his Majesty, in a manner the least repugnant to his own feelings, the most respectful on the part of the House, and, at the same time, in language so plain as not to be misunderstood, that in the Cabinet as it was at present composed, that House, and the country which it represented, did not place entire confidence. He begged to correct the expression of entire confidence; he preferred saying that degree of confidence which would enable Ministers to continue in their situation with advantage to the public service. He had now, he believed, explained sufficiently the grounds on which he supported the Amendment, and it only remained, in conclusion, for him to say, that in expressing these opinions, he was aware that he had, perhaps, taken more upon himself than the station he held in that House might be thought to warrant; that it might have been imprudent, for party purposes, it might have been wrong and inexpedient in him to make the declarations he had made, but the crisis in which they were placed was so alarming, it seemed to him to be so full of the greatest and most imminent danger, that no considerations of party interest, no considerations even of individual friendship, could prevent him from expressing the opinions he believed to be just, and that in this crisis it became them, postponing all consideration as to who might be to blame for the state of things which had arisen, to reflect solely upon what was the course which, under all the circumstances, the House was bound to pursue. It was under that impression he had declared the opinions which he had given utterance to, and in them he trusted the House would believe him to be sincere.

Mr. *Grove Price* stated, that he considered it to be a matter of great regret, that the noble Lord who had just sat down should feel it his duty to vote against the Address, as well from his high character, as from the opinions he had expressed with reference to the present crisis. He regretted, too, extremely, that any attacks should have been made on the character of an illustrious individual, a Member of the other House, who had rendered such distinguished services to his country. His fame was placed on too high a pedestal to be assailed by that noble Lord. Many hon. Gentlemen had indulged in uncalled-for attacks on that distinguished person, for having, at a moment of emergency, conducted the business of more than one department; but whatever difference of opinion might exist with respect to his holding different offices, he had never heard one word of complaint of the manner in which the noble Duke had conducted the public business. He thought it his duty to vindicate the character of the noble Duke from the attacks made on him by the hon. Member for South Derbyshire. That hon. Gentleman had stated, that the funds had fallen one per cent when the right hon. Gentleman, the Speaker was placed in the Chair. The allusion was not one of remarkable delicacy. However hon. Gentlemen might have voted upon that occasion, the moment the selection was made, they only saw in the right hon. Gentleman, the Speaker of the House of Commons. The hon. Member had asked, how much more they would fall when the Marquess of Chandos's Motion for the Repeal of the Malt-tax had been carried? The hon. Member had selected certain persons to fill a number of offices of State, and had named two individuals, and might therefore be said to have forestalled the appointment of the new Cabinet; but those two hon. Gentlemen entertained such extreme opinions as to render it very unfit to allow them to be connected with any Administration. He wished to remind hon. Gentlemen opposite, that the right. hon. Baronet and his present colleagues, while in opposition, acted in a very different way from that pursued by the Members of the late Administration and their friends. The right hon. Baronet was, on all occasions, anxious that the King's Ministers should have a fair trial; but this was refused to himself. He was much surprised to hear the speech of the noble Lord who proposed the Amendment, and he could not help feeling that the latter was proposed like a fine-drawn net to catch a few stray votes. After the violent excitement displayed for some months, by the press and on the hustings, freqently without temper or moderation, and in some instances without either decency or loyalty; he hadexpected when the Amendment was read, to have heard the Lion roar. The Lion had roared, but like his prototype in the play, "roared as gently as a sucking dove." The noble Lord, in drawing up his Amendment, had taken care to avoid all topics likely to lead to disunion in his own ranks, and only alluded to those points in which the opponents of the present Ministry agreed. He thought that the doctrine which had lately been started, namely, that no man who had opposed a measure involving a change in the constitution of the House, was eligible to take office, was of a most dangerous nature. Was it reasonable to say, that a man, capable of rendering the most important service to the State, should be for ever excluded from serving his Sovereign or country, merely because he had been slow to assent to great change sin the Constitution? A person might entertain a conscientious opinion against a change in the constitution of the House of Commons, and, at the same time, be anxious to promote Reform in other matters. In illustration of this, he would refer to the history of this country, and it would be found, that one of the most extraordinary men of the age in which he lived—the intimate friend of Lord Rockingham, and probably his adviser in many of his most important measures—this man, being the associate of Fox, entertained, the strongest objections to any measure having for its object a change in the constitution of the House; but, at the same time, was one of the most zealous Reformers the country ever produced. That distinguished man brought forward a plan of economical Reform in February, 1780, of a more extensive nature than any submitted to Parliament before or since, which had for its object the consolidation of a number of offices, and the abolition of many others, yet he was never charged by his distinguished Friend, Mr. Fox, or his not less distinguished opponent, Mr. Pitt, with abandoning his principles, when he opposed the plan of Parliamentary Reform, submitted to the House by the latter. The noble Lord, the late Paymaster of the Forces, must, also, be fully aware of the service Burke rendered to the public by the arrangements he introduced into the Pay-office, and which made it, from being one of the worst regulated offices in the public service, one of the best. Would the noble Lord, the late Paymaster of the Forces, reject the valuable assistance of Mr. Windham in the work of judicious improvement? Would the hon. Member for Invernesshire, formerly a member of his Cabinet, spurn from him, in the present juncture, the late Mr. Canning, because he had ever been the uncompromising opponent of Parliamentary Reform, in principle and in detail? After this, he trusted that they would hear no more of a Statesman being an enemy of all Reform, because he felt it his duty to oppose a Measure having for its object an important Constitutional change. Supposing the present Administration to be removed from power, he should like to know who were to be their successors. They would be obliged to select a Cabinet, the Members of which entertained different opinions on the most important points; and, indeed, to such an extent, that it would be impossible for the Government to exist for any time. If the new Government were removed, and the Melbourne Administration, with some of their new allies, succeeded, it would soon appear that the noble Lord had forged new and heavy fetters for himself under harsh and unscrupulous task-masters.

Mr. *Thomas S. Duncombe* would not have intruded himself upon the House when so many Members desired to address it, had he not been compelled in consequence of the speech made yesterday by the right hon. Gentleman, the President of the Board of Trade, in which, among other things, he stated that the wealth, respectability, and intelligence of the metropolitan districts, as well as of the city of London, were not represented in the present House of Commons. To that assertion, he, as one of the metropolitan Members, rose to give the most unqualified contradiction, and to assure the right hon. Gentleman, that of all the mis-statements he had ever been guilty of, and the number was not small, the one to which he alluded stood the most prominent. He confessed, that when the Reform Bill passed, he expected there would have been an end of those bitter sarcasms which, previous to that event, used to be so constantly levelled against Reformers by the party now in power, and by none of them more incessantly than by the right hon. Gentleman who filled the post of President of the Board of Trade. While the Reform Bill was under discussion, allowance was made for the naturally soured feelings of the right hon. Gentleman when he saw his favourite Callington stealing as it were from under him; but now that the individual was a Minister of the Crown—now that he was a servant of the public—it was to have been expected that he would have treated the public with some slight respect, and would have refrained from making the unwarrantable assertion, that within these walls, the wealth, respectability, and intelligence of the country were not represented. But how was it —he appealed to the recollection of the House—the right hon. Gentleman illustrated his argument? He said "Look to the city of London; look to the Address, containing 5,000 signatures, voted by that city to the Throne upon the Tories coming into office." Five thousand signatures the Address for aught he knew might have contained; but how were those signatures obtained? It was right that the House should know this; it was right that the Crown through the House should know it. The signatures to the Address had been analysed; and the result of that analysis was the discovery that but four-tenths of them represented the names of electors of the city of London, the remaining six-tenths being composed of the signatures of merchants' clerks, and other parties, whose sole claim to the title of merchants of the city of London consisted in their having passed up Cheapside on their way to the London Tavern to attach their names to the Address. "But," said the right hon. Gentleman, "neither the wealth, intelligence nor respectability of the metropolitan districts is represented in this House." What! was there no wealth in the Bank of England? Few could doubt that. And who was the Governor of the Bank of England? Why, one of the Representatives of the city of London; and yet, notwithstanding that fact, the right hon. Gentleman had the assurance to say that neither the wealth, intelligence, nor respectability of the city of London was represented in the present Parliament. With regard to himself—whom the metropolitan district of Finsbury had deemed proper to send to Parliament, he would only say that, although he might not represent the wealth—the intelligence—or the respectability—of his constituents, he could boast of representing a character which the right hon. Gentleman, albeit all his wealth, intelligence, and respectability, did not and could not represent—that of a consistent politician. He had heard with some surprise the noble Lord the Member for

South Lancashire declare that he and his friends proposed to support the Government Address; but he (Mr. Duncombe) would not so far trifle with the feelings of the right hon. Baronet at the head of the Administration as to congratulate him on the accession of such supporters. The noble Lord when tendering his adhesion to Ministers—and here he might observe that the Speech in the course of which that adhesion was tendered, was altogether favourable to the amendment, against which its framer said he would vote—the noble Lord stated himself to be the oracle of another party within those walls. Now, he maintained that the House was entitled to know of how many and of whom that party so represented consisted. [*Loud laughter.*] Hon. Members might laugh, but, nevertheless, he maintained the House of Commons ought to know if they were to have a representation within a representation, an *imperium in imperio*, within its walls. Was it possible the right hon. Baronet the Member for Cumberland was one of those represented Representatives? Was it within the bounds of credibility that the noble Lord was the organ of a man whom the newspapers alleged to have publicly stated that no Administration could be formed of worse materials than that of the right hon. Baronet, and to have described the Cabinet as composed of men who during their whole lives had opposed good measures and supported bad ones? Again, was it possible that the noble Lord was the organ of the hon. Baronet the Member for Newcastle? If such was the fact, he maintained the constituencies of Cumberland and Newcastle ought in some way to be apprised that their Representatives were represented in that House, not by themselves, but by the noble Lord the Member for South Lancashire. He did not mean to say that those constituencies could be better represented than by the noble Lord, but he protested against their time being wasted in the election of persons who, on being sent to that House, were not to exercise their voices. In the good old times of rotten boroughism it was a constant question, when any political job was being carried on, to ask, "What will they say to this at Cockermouth?" Might he not now ask of the hon. Baronet opposite "What will they say to this at Cumberland and Newcastle?" But, he felt satisfied the right hon. Baronet the Member for Cumberland wanted no medium through which to convey his sentiments to the House. That hon. Baronet was eloquent at all times, and he was sure he would be so on the present occasion. The simple question to be decided in the approaching division was, first, whether the Reforming party of that House were prepared to maintain within its walls the sentiments they professed out of them; and, secondly, whether the present was a Parliament prepared to succumb to the prejudices of the Peers and the caprices of the Court, or whether, it would carry out the Reform Bill, and maintain the rights and the liberties of the people. The right hon. Baronet opposite seemed to be rather hurt with the noble Lord who moved the Amendment, designating the Address a vain and inconclusive document; but what would the right hon. Gentleman say to him when he called up a tissue of unmeaning professions and hypocritical regrets? What did the first paragraph of the Address call upon the House to profess? Why, the hypocritical regret that they joined with his Majesty in deploring the destruction of the two Houses of Parliament. For his part, he did not feel the smallest particle of regret at that event, and he fairly believed not one single Member of that House, aye, not even of those who were going to vote for the Address—differed from him in opinion on the subject. They had been promised that the report should be laid upon the table of that House stating the probable cause of the fire, but he, in common with other Members, would have felt more gratitude to his Majesty had he stated the cause of the removal of those Members who used the House. But it appeared they must be content when they were told that the last House of Commons was dissolved by a legitimate exercise of the prerogative. With regard to the other regrets that Ministers had placed in the mouth of his Majesty the affairs of Holland and Belgium stood foremost. But he would remind the House that the differences existing between those rival Powers arose when hon. Gentlemen on the other side of the House were administering the Government of this country. Another portion of the Address alluded to the local burthens of the agriculturist. And here the noble Lord, the Member for Liverpool, and the mover of the Address to the Crown, appeared to be sadly puzzled. He had not been let into the secret of what those local burthens were, and seemed to be amazingly in the dark as to the intentions of Ministers with regard to their removal, he having mentioned nothing of any plan by which they were to be transferred to any other description of property. They ought to be told what the changes were that were in contemplation. Would the right hon. President of the Board of Trade explain to him the meaning of the following paragraph of the King's Speech, "I rely also with equal confidence on the caution and circumspection with which you will apply yourselves to the alteration of laws which affect very extensive and complicated interests, and are interwoven with ancient usages to which the habits and feelings of my people have conformed?" Perhaps the hon. Gentleman who was Paymaster of the Forces would state what these laws were. Did the passage refer to Corporations? Certainly, the people had conformed to them; but in doing so, their feelings had unfortunately been repeatedly outraged. If he had allowed personal considerations to sway him at the present period, he should certainly have given his vote on the question of the appointment of a Speaker in favour of the right hon. Member for Cambridge. The course he took, however, was dictated by an imperative sense of public duty. To designate that course factious, was to describe it most unjustly. He should vote for the Amendment.

Mr. *Baring* rose to explain: he said he had been charged by the hon. Member who spoke last, with having spoken of his constituency with disrespect; but, he begged to say, that he made no observation on his borough of Finsbury. What he did say was this—and it was not in any argument of his provoking, but in answer to remarks that had been made by the hon. and learned Member for the Tower Hamlets,—that hon. and learned Gentleman said that the Government had against them all the wealth and respectability of the metropolis, to which he replied, that though, undoubtedly, those hon. Members who had been returned for the Metropolitan districts, were seated constitutionally by the numbers entitled to send them to the House, still the petition sent up to the Throne, signed as he knew it to have been signed, did prove that as large a portion of the wealth and respectability of the city of London had expressed confidence in his Majesty's Government. He begged to assure the hon. Gentleman, that he did not venture to criticise, in the slightest degree, the acknowledged taste and discrimination of the electors of the borough of Finsbury.

Sir *James Graham* said, that nothing had been further from his intention in coming down to the House, than to obtrude himself upon its attention on the present occasion; indeed, suffering under very acute pain and general indisposition, which would in ordinary circumstances, have prevented his attendance in that place, he certainly should not have taken any part in the discussion had he not been personally alluded to by the hon. Member for Derbyshire (Mr. Gisborne), with regard to something which he was reported to have lately addressed to his constituents, and also more directly by the hon. Member for Finsbury, who had just sat down. Under these circumstances, he should fail in the duty he owed to the House, to himself, and his constituents, if he did not rise and vindicate in his place what he was represented to have said. He was quite prepared to act up to what he had told his constituents at the late election would be his conduct in the trying circumstances in which his Majesty and the country were now placed. It having been his misfortune towards the close of last Session, from a painful sense of duty on a question of principle, to separate himself for the time from those with whom he had acted ever since he took a part in public affairs, it was necessary that he should explicitly state to those constituents what had been the motives of his past conduct, and what were the principles by which he should regulate his conduct in the present Session. He need not tell the House, that having for eighteen years uniformly acted as a party man, having felt during that time the strongest personal attachments, and never having deviated from party consistency,—respecting, revering, as he did, many Gentlemen he saw opposite, occupying the Bench where he used to sit, it was impossible to find terms wherewith adequately to express the pain with which he had separated from them. It was some consolation, that there were Gentlemen with whom he had acted during a portion of that time who still coincided with him in opinion; yet, having that consolation, he was sincere when he said, that his respect for many of the leaders of the old Whig party remained unabated; and it was with pleasure which he could not describe that he heard the true old principles of that party announced the other evening in the admirable speech of the noble Lord (Lord Morpeth), who moved the Amendment, and also in some parts of the speech delivered by the noble Lord, the Member for the county of Northumberland (Lord Howick), which, in talent and independence of spirit was not unworthy of that great, high-minded and venerated, nobleman, with whom the noble Lord was so closely connected. He agreed with that noble Lord, more particularly with respect to his Majesty's present Government; and with him he was bound to declare, that in the head of that Government, he had much greater confidence than in any of the other Members composing the Administration. Entertaining, then, the opinions which on that and on other occasions he had frankly avowed, there would obviously be great inconsistency in his voting for the Amendment of the noble Lord. Considering the effect of his vote—considering the probable consequences of the present Government being a second time in one week left in a minority, he should long hesitate before he gave his support to the Amendment of the noble Lord. If he could agree, that the overthrow of the Administration would not be the consequence of adopting the Amendment, he might be disposed in some respects to qualify his support of the Address. Looking at the Speech from the Throne, and referring to that portion of it which related to the subject of Corporation Reform, he felt perfectly ready to admit, that upon that topic the public mind was completely made up. The question of Corporate Reform divided itself naturally into two parts—the one relating to the application of trust property, the other, the mode of appointment of those by whom the affairs of the several Corporations were conducted. The former he admitted was a question of considerable nicety, but on the other nothing would have been easier than for his Majesty's Ministers to have stated their views at once in a manner short, clear, and perspicuous. At present the governing party in the corporations were self-elected; the people desired, that the mode of their election should be popular, and as the public mind was evidently made up on that subject, it became with him, in reference to this point at all events, a matter of entire indifference who were, or who were not, the Ministers of the Crown; for, whoever might be Minister, a removal from our Municipal Corporations of the vice of self-election was, in his opinion, a matter fully and completely decided. Had an Amendment been moved, which simply involved the assertion of that proposition, he should not be indisposed to give such an Amendment his support; but he was opposed, and should remain adverse, to supporting any vague rambling addition to the Address, which might have the effect of placing the present Administration in a minority, under circumstances which must put to hazard their continued existence. It was his misfortune not to have been able to place confidence in the Administration of Lord Melbourne; the present Government, had made large and ample promises of liberal measures, and he would maintain that they possessed greater facilities, and more extended means of carrying such measures into full effect than any Ministry, the formation of which he could now contemplate. The declarations which he made in relation to the support, or the opposition to any Government amounted to this, that he had pledged himself, that he would vote against any Motion having a factious tendency. It was the duty of the Administration to produce their measures, but was it not in fairness the duty of the House to abstain from striking without hearing them, and would it not be still more unjust to strike for the purpose of preventing their being heard? That was the position with which he set out, and to that he was prepared to adhere. There were large promises contained in the King's Speech. He thought the promises large, though the terms in which they were conveyed, might be somewhat vague; but the vagueness of the terms did by no means contradict the assertion he had made—namely, that the promises were in themselves satisfactory and ample. Now, he wished to put those promises to the test, for he fully believed, that the measures of which expectations had been held out would be produced, and would soon be produced; for, with the exception of Corporation Reform, which exception he regarded with somewhat of a jealous eye, it appeared to him and he did fully believe, that on the whole the measures of the Ministry would prove satisfactory.

On the occasion, to which reference had been so often made, he had expressed want of confidence in persons from whom it had been his misfortune to differ throughout his political life. All he said in effect was this, that if they proved to be a Government acting upon principles such as he could conscientiously support, no personal considerations should induce him to withhold that support, and in the strongest terms did he then, as now, protest against a factious opposition. He declared his determination, and by that he would abide, to put the present Ministers on their trial, and that he was disposed to do without favour or affection. For all this he was anxious, because he had a strong conviction, that the measures to be anticipated from them would be productive of substantial amelioration. He was anxious to give them, if they proved true to their declarations, the advantage of bringing in measures in the results of which he reposed large confidence. The hon. Member for Derbyshire supposed the speech which he (Sir James Graham) had delivered in Cumberland—

Mr. *Gisborne* said, that the words of the right hon. Baronet, which he had quoted, were these—"that in his (Sir James Graham's) opinion, the present Administration was composed of the very worst possible materials—of men who had spent their entire lives in promoting bad Government, and opposing good."

Sir *James Graham* resumed. What he said was, the Government was now formed of men to whom, and to whose measures, he had all his life been opposed; that in such an Administration he could not place unlimited confidence; but that, not seeing his way to the formation of a better, he was resolved to resist any factious Motion, the tendency of which might be to displace such an Administration as was then formed. Such were the sentiments he expressed in Cumberland, and by those he was prepared to abide. He had that night come down to the House at great personal inconvenience, to explain the grounds upon which he was prepared to oppose the Amendment; it still remained for him to notice the point to which he wished more particularly to refer—he wished to give the most direct contradiction possible to a rumour which had been recently set afloat. The propagation of such rumours might form part of the new tactics of opposition—such might be the tactics of an opposition, which he could no otherwise describe than as a Babel opposition in which were heard the many tongues—the discordant language of the new and old Whig—of the Moderate and Ultra—of the Radical and the Repealer. If other motives were wanting, the mere existence of such coalitions would induce him to declare, that he was not prepared to unite with such opponents of such an Administration. "*Non hæc in Fœdera veni.*" But to return to the rumours of which he had been speaking. Those seeds, when once sown, often rose and spread to a formidable extent. They might be cast by the way side, but they nevertheless occasionally germinated, and even produced fruit; he was, therefore, anxious in the most positive manner to deny that, directly, or indirectly, he, or any Gentleman included within that section of the House, had received any communication from his Majesty's Government. Not only had no communication been received from the Government, but none had been tendered by him, or by any of those with whom he was in communication. If any further explanation were thought necessary, he was then prepared to offer it. It had been sneeringly said, that some Members would act conscientiously. Was it thought, when the fate of the country was suspended in the balance, that men would consider mere party attachments as paramount to every thing? Might not independent support be given without unlimited confidence?

Mr. *O'Connell* spoke as follows:—Sir, it appears to me that if there be a factious Opposition, there is also such a thing as factious support. There has been a coalition adverted to on the one side, and there may be a coalition of excessively bad materials, equally deserving of ridicule or reprobation, on the other. I assure the House, that I feel sincere regret that it is my duty to trespass on them at all on this occasion; and if I could reconcile it to my sense of the duty I owe to my unfortunate and neglected country. [*Laughter.*] Oh! I perceive the quarter from whence that laughter proceeds, and I am perfectly, and with the utmost good humour, ready to bear any interruption from that quarter. Would to God the unfortunate inhabitants of my country had nothing to bear from that quarter but the slight incivility of such interruptions. I do repeat that I unaffectedly regret the being compelled to trespass on the House at this late period of the discussion, when every man who rises must be aware that this subject, and every topic connected with it has already been completely exhausted. But then I may confidently appeal to all who hear me, whether they would not think me shrinking from the performance of my duty if I did not, even at this time, offer some observations to the House. I have been personally assailed. The right hon. Gentleman (Sir R. Peel) has produced a letter written by me, an humble individual, and has made what I consider to be an illegitimate use of that document. It would seem that he had taken my consistency into his holy keeping; he has said that we belong to that party whose cry is measures, not men. Yet he would be angry with me because I show a greater attachment to measures than to men.—Then the hon. Member for Tamworth got me in at the end of his discourse for the mere purpose of raising a cheer at my expense. He accused me of being a dangerous individual. Now, I will not return the compliment. I do not think him at all dangerous. He threw out a great deal more of insinuation against me;—In return I will implore him only not to follow the example, the bad example, of the class of men whom he ought to despise—that class who indulge themselves in circulating slanders through the press, and who, with an appearance of independence, are the most servile of slaves. I feel myself, therefore, bound to address the House even in my own vindication; but that address will also relate to matters infinitely beyond anything connected with myself. When the interests of this country is so much at stake—when parties are so much divided—when patriotism has the support of Whigs so conservative and wavering, and the Government so weak and so extraordinary, what is my first duty? It is, to remind the House of what really is the question before it. The question is not of any particular section or party: it is the great question resulting from the effects of that constitutional revolution which took away the power of that majority of this House—from that corrupt, small, rotten-borough, and oligarchical majority, and gave it to the people—for the purpose not of conceding the Reform with that measure, but of rendering it subservient to the amelioration of all our institutions, and to the improvement of everything good, and the destruction of everything bad, in those institutions. A Parliament has been elected, and a Government appointed to meet that Parliament. The question now is, whether that Government comes with such promises and pledges as ought to be received by them. It has been told to the House in an Address proposed to the Throne, and those promises and pledges were such as Reform Members could hold out to the country; and, on the other hand, it is said, if the intention to effect these improvements really exists, there ought to be something added to the Address of a more explicit character. Will the people of England be satisfied with these declarations? Will the people of Scotland? I need not ask as to the people of Ireland; for one contemptuous sentence is the only reply they would make to the appeal.—What cares the country for the small negotiations and arrangements between parties? The question is not whether a good speech has been made, or a pleasing case of opposition substantiated; but what the answer to the King's Speech would be, if it were made by the country at large. The country requires substantial Reform; the Address is a mere mouthful of moonshine, promising little to England, less to Scotland, and nothing at all to Ireland. I will not, at this late hour, travel through a *catalogue raisonnée* of the different species of support which the Address has received. I will take only three or four of them. The noble Lord, the Member for Liverpool (Lord Sandon), after speaking of the number of his immaculate constituents—the boast of which came exceedingly well from him who defended the immaculate purity of that constituency, doubtless with a most conscientious feeling that noble Lord put the case on the point of confidence, and laboured hard to prove that the present Administration was quite as good as Lord Melbourne's Administration—in all its measures quite as useful to the country. Why, that noble Lord himself opposed the Melbourne Administration, which he now regards as the *beau idéal* of the perfection of the present Administration. I find nothing, therefore, in his argument to induce me to confide in the vagueness of the Address in reply to the Speech. The noble Lord was followed, after a short interval, by one of that party who hate cabals, who are so perfectly consistent — I mean the hon. Member for Knaresborough (Mr. Richards). He supported this address because he is a thorough Reformer; he is so true a Reformer that he has actually reformed himself, and reformed himself by the most extraordinary logical process which I ever heard of. It is this: "I am," he says, "a true Reformer; I voted for the Ballot and for the shortening of Parliaments; the Whigs opposed these measures, and were supported in their opposition by the Members of the present Administration: therefore I transfer my allegiance from the Whigs to the present Administration." The hon. Member for Worcester (Mr. Robinson) followed in the same style; I must confess that I was for some time at a loss to know what was the meaning of his speech and his vote. I discovered it, however, before he proceeded far: he told us that a majority of his constituents were anti-Tories, and that the minority—all respectable men—were, on the other hand, Tories; and having thus a divided constituency, he, with the utmost impartiality, divided his conduct, and gave to the anti-Tories his valueless speech, and to the Tories his valuable vote. His name, accordingly, with that of the right hon. Baronet, the Member for Cumberland (Sir James Graham) will count in his "lists of the division to-morrow"—he will have him in "that section of the House." What are we to call that section of the House to which the right hon. Baronet alluded, and over which the noble Lord (Stanley) presides? It is not a party—that he denies; it is not a faction—that would be a harsher title. I will give it a name—we ought to call it the tail. How delightful would it be to see it walking in St. James's-street to-morrow—to see the noble Lord strutting proudly, with his sequents behind him, and with a smile passing over his countenance—something like, as Curran said, "a silver plate on a coffin," while the right hon. member for Cumberland made one of its lustiest links—not held by the Cockermouth crutch, but supported by his detestation of all coalition. Yes, Sir, this is the ludicrous combination of supports by which the right hon. Baronet is this night to be saved. How is he to be saved? By the Tories? Oh no! By the Whigs? Oh no! the genuine Whigs have not gone over yet. Whatever becomes of speculation for places where no negotiation has as yet been entered into—whatever becomes of future prospects, of difficulties got over and subdued, of kindness thrown out, and courtesies offered, and protection held over these unfortunate orphans,—the Ministers as we call them—whatever becomes of their party, the true Whig, the true Reformer, the true friend of liberty will stand firm; and I doubt much that the right hon. Baronet's protection, with that of his noble Friend the noble Lord, and the sequents which he may carry with him, will avail those over whom it is extended:—

> "Down thy hill, romantic Ashbourne, glides
> The Derby dilly, with his six insides."

Sir, it is quite consistent with the genius and disposition of my country to mix merriment with woe; the sound of laughter is often heard while the heart is wrung with bitter anguish, and the tear of sorrow dims the cheek. I have been led, in the spirit of this consistency, to mingle mirth with melancholy in speaking of the coalition of which we hear so much—this coalition of those who detest coalitions—this desertion from the cause of the country on the part of a set of nominal patriots and would-be ministers. How many embryo Lords of the Treasury see I not before me—how many Commissioners of the Board of Control—how many Lords of the Admiralty—how many Presidents of the Board of Trade? Quite enough of them to make an Administration. And the only difference between such a one and the present Administration would be, that it would not be so confident of the favour of the Court, or of the favour of the Conservatives. Though it would not have the support of the people, it would be a Ministry, mighty in imagination. But God forbid that the destinies of this country should be intrusted to men who know not themselves, and who stand firm to nobody! I turn now to the speech, and ask, as a Reformer, what have you promised for England, for Scotland, and for Ireland? You admit it to be a vague and general composition—and I ask why, at such a moment, is it vague and general? It is said, that you want a fair trial. Are you such novices in public life, that the public do not know what you are? Is the defence you seek to be allowed, your first, that you should so loudly require a fair trial?

You may, perhaps, resort to an *alibi* on the defence; but character certainly cannot avail you. A fair trial! Why, since you first appeared on the public stage, you have been under trial; you have been repeatedly condemned; the public have repeatedly indicted and convicted you; convicted you of resisting every solid and substantial good, and supporting every abuse and corruption —not which you recognised and admitted as such at that time, but which you recognize and admit at the present. You stood by Old Sarum and Gatton to the last. You declared that the old corrupt Parliament of the nominees of the oligarchy was, not only an useful and salutary system, but the actual perfection —the *beau idéal* of all constitutions, which no man, *à priori*, could have framed by any force of intellect, and to which the wisdom of our ancestors alone had given such a smack of perfection as no human ingenuity could have imparted to any system which it framed, was not this the opinion expressed by the noble Duke, the present Secretary for Foreign Affairs—him who sat upon you for three weeks, and then hatched you? The right hon. Baronet, the Member for Cumberland, said, that he would not convict the present Ministers before he had heard them. Was not the right hon. Baronet (Sir Robert Peel) heard at full length, both for himself and his cause, the other night? He and his party have been indicted by the country, and convicted of their misdeeds; they obtained this opportunity of vindicating themselves. Before Parliament met, the cry was, "wait till you see the King's Speech." When that came, it was, "Wait till you hear the right hon. Baronet's explanation." I take them both together, and I ask, can any honest and conscientious man, giving the Ministers what they ask, a fair trial, find a verdict in their favour? The right hon. Baronet, with that simplicity that becomes him, says, he does not understand what is the meaning of "the principles of the Reform Bill." If he does not, it is no small disparagement to his fitness for carrying that Bill into execution. Let me, however, referring more directly to the contents of the Speech, ask him, in the name of England, whether he has promised anything in the Address, or in the Speech with which the people of England ought to be satisfied? The Speech recognises, though in rather fantastical phrase, the distress prevailing among the agricultural interest. "I deeply lament," says his Majesty, "that the agricultural interest continues in a state of great depression." Was it intended to confine that sentence to England? I suppose not; there is agricultural distress in Scotland, and there is agricultural distress, with doubly combined force, in Ireland. What do you propose to do for it, let me ask his Majesty's present Ministers? You are the patrons of that interest—at least, the right hon. President of the Board of Trade is so; he represents a county now —and accordingly he patronizes the agricultural interest; he represented a borough before, and he then, like his borough, was entirely in favour of the commercial interest. I think there was something like a scramble for getting at the Malt-tax, although I admit, indeed, that it would be a substantial relief. But you talk of equalizing the local charges which bear heavily on the landed interest. Many of you got into this House by persuading the agricultural interest that it was your intention to relieve them. How many a speech have I read—for, Heaven help me, I read speeches as well as make them!—which thundered out on the unfortunate Whigs all their guilt in neglecting the agricultural interest—every thing else, it was said, they had attended to but the agricultural interest; and you were pointed out as its especial protectors, you got many returned on the ground of your intention to protect it. I heard the hon. Baronet (Sir R. Greisley) boast that he was the protector of the agricultural interest. I ask him, is he content with the promises in that part of the Speech which relates to the agricultural interest? [Sir *R. Greisley*—"No."] I am much obliged to the hon. baronet for his admission. I ask, then, is it to the paltry, pitiful management of some local burdens affecting England only, that it is to be conceded? Do you imagine that the people of England are so senseless—that the farmers of England who certainly have not the opportunity of a daily recurrence to the ordinary vehicles of intelligence, are so stultified, so beastly, as not to understand that you are practising a delusion on them; that while you promise them protection you yield to them the paltry reduction of local taxation? I am glad, however, that the hon. Baronet will support the proposition for the repeal of the Malt-tax. I rejoice that I have his vote promised. Will the section support us in that question? Shall we go tail-to-tail in support of the repeal? You have then, the Malt-tax before you; you have the agricultural interest also in your front; you have 'the tail' deserting, and the country which you have deluded exclaiming against you. In such a state of things, but one result must take place. Yet I must say, I think it would be much better that you should go out gradually: one single puff may leave an unsavory smell behind it. If you go out by degrees, some other tapers may be lit to enlighten and warm the political atmosphere, and make it healthful for freemen to breathe. I have now done with the agricultural interest; I make you a present of the impression which you will make on the country with your promised relief from local burthens. I remind you, however, that in this instance, Scotland gets nothing. As to Ireland, you have left that country to its old taskmasters. You did not think of her at all; she is to have none of the agricultural benefit. We come to the next branch of these mighty promises—these great majestic works which are foretold—and here is a high-sounding one, in which we are told to promote a Commutation of Tithes in England and Wales. A Commutation of Tithes sounds well. It may be an excellently good thing. It may also, and I know it has, aggravated the evil. It gives most formidable advantages to the clergyman. It puts him in before the landlord—it gives him a mercenary power of executions, of entering, distraining, and selling—there can be no parleying here—the sum is ascertained and it must be paid—the law admits of no delay—the remedy is prompt and efficacious for the clergyman—the mode of obtaining any relief on the other hand is more distant and doubtful. Why do I canvass this? Because I have seen the system in operation in the strongest point of view. I tell the landed gentry of England not to confide in any explanations which you may make of your promises. If you give to England such a tithe commutation as you gave to Ireland, you will only be aggravating the existing evil; as to the rest of what you propose for England, it consists simply of matters of course.—There is something said about Ecclesiastical discipline. I thought to have passed over that subject as foreign to my purposes; but the right hon. Baronet will not allow me, because he has said, that the object of the proposed alteration was to give increased jurisdiction to the bishops over the clergy. Now, as far as that is confined to the mere spiritual point of view, I leave it entirely to you—it is your affair and not mine; but if it be your intention to do what you have done in Ireland, to make the bishop perfectly despotic over the local clergy—to give him an iron power of restriction—to increase that authority, which will now be introduced to punish the clergyman who has taken part against him who has exerted himself on their behalf, then it becomes a question with which I have to interfere. I ask the House, however, to consider what are these boons, which the Government hold out to the country—boons with which they fascinate the waverers and eclipse the deeds of the very administration that were before them, and caused themselves to be recognised as the benefactors of the nation. You have given nothing to Scotland but the building of new churches for her. Why could she not build churches for herself? Even poorer people than those of Scotland build them without coming to you for assistance. I know instances in my own parish in which 12,300*l.* was paid in two years and a half, in which the edifice was erected and rendered fit for divine service without costing the country one single penny. Therefore I say to our Scotch friends, with all respect, build churches for yourselves. I now come to that part of the matter which presses on myself more closely, and which is most interesting to me. I say now to the present Administration, you are restored to power in Ireland, and what are you to do? Who are your allies in Ireland? Is there a man amongst you who ever distinguished himself by a high and haughty, or truculent and persevering animosity to the Catholic people of that country that is not rallied around you? Is it true—if it be not, I should be glad to have it contradicted—that the grand master of the Orange lodge was offered the place of steward of the household or some such office, which he had the delicacy to refuse? If it be untrue, my observations do not apply; if it be true, what is that country to think? I heard an exposition of Orangeism thrown out by the hon. Member for Sligo. I tell them that the Orange lodges are illegal. The hon. Gentleman seems to think that no society is illegal but one bound to gether by an oath. We even read in the newspapers every day that some Orangemen have been sworn in; but I stand not on that ground: I ask you, is there not a declaration made by every man who becomes an Orangeman to this effect, that he is a Protestant? and is there not a test by which they are known to each other, and which is kept secret? Now any society which has an oath, or declaration, or a test, is illegal, by the very words of the Act of Parliament. After emancipation what is the meaning of an Orange society? Does the House understand that it is an exclusive society? No Roman Catholic whatever can be a Member of it. What is the meaning of that exclusion? Is it not the assertion of some superiority of faculty, or intellect, or station? Good heaven! if ever there were a country on the face of the earth in which such a society, supposing it legal, should be suffered to take its station among the paltry prejudices and vulgar practices of the lower classes, what is the utmost latitude that ought to be allowed to it? Toleration, manifestly—a mere freedom from persecution. But I put it to the House, is it not too bad to have Ireland in this situation, that all the instruments of Government are to be, if not selected from that party, at least nominated by its confidential advisers? I do not wish to speak with any harshness on this subject, but I have heard the cry of exultation—I saw the triumph—I marked the altered mien—I perceived the wall of separation being raised between Catholic and Protestant more and more every day since the present Government came into office. You appointed the right hon. Gentleman opposite (Mr. Goulburn) Secretary of State for the Home Department. Did the Dissenters of England understand that? Certainly the Catholics of Ireland understood it well. At the time of the Union, Lord Clare, and every one else who spoke on the subject—while they proclaimed that up to that period a faction had governed Ireland—promised a millenium for the future, foretold that the Irish would be amalgamated with the rest of the people of these kingdoms—that no distinction should hereafter exist, except that between good and bad subjects. I ask you whether, if any class in this country, the Dissenters, for instance, were to form lodges, in which no Protestant of the Established Church was admitted, and if that party was supported by the Government—I say, I ask, would the Protestants of England endure such a Government? Were a similar course pursued in Scotland, would the Presbyterians of that country quietly submit to it? But the things of which I complain have been done in Ireland, and there you feel yourselves at liberty to act as you please. With reference to the appointments which you have made in that country, you have named for Chancellor a man who rose from an humble rank in society by the force of a greater genius in his own peculiar profession than has been possessed by any man whom I ever witnessed—who had more knowledge of the business of that profession, and more capability of applying that knowledge, than any one I ever knew—you have appointed that man your Chancellor,—an admirable lawyer, a legal tradesman, but nothing more. Do I condemn that appointment? There is no one who can praise it more as a legal one. But has not that individual been mixing himself already with Members of the Crooked-building, with the guild of merchants, boasting that he belonged to the same class with them? But suppose that, instead of having sent him—suppose, instead of having sent a man who had risen by force of talent, you had sent one who was thrust into that situation solely by the interest of his family—such a one as, if you had made him a judge in this country, you would have promoted simply to the post of puisne judge of the Court of Exchequer, where the Judges were occupied one hour and idle for the whole week—suppose that you had appointed an individual who, for twenty-five years, were to remain Chancellor of Ireland, and whose decrees, on appeal, were reversed, if not in the proportion of fifty per cent at least, not far short of ten out of twenty. Suppose that for five-and-twenty years such a Chancellor were inflicted upon Ireland, and that, notwithstanding every representation, no redress could be obtained against such a grievance. Yet, that was precisely the state of things when the Tories were formerly in power. Suppose, again, that an individual were placed in the situation of Lord Chief Justice of the Common Pleas in Ireland, who ought never to have been on the Bench at all; an individual who, by his conduct, turned justice itself into ridicule. Yet that party is now in power by whom the continuance of such a Judge for a long term of years was sanctioned, and by whom, when at length he was removed on petition, a peerage and other advantages were conferred on him. [“*No, no?*”] I do not speak precisely of the individuals at present in power, but of the system of corruption which their principles tend to support. In all respects that system has ever been one of the most base and infamous description. It is a well known fact, that during the whole time that the notorious Leonard M'Nally was employed, especially as counsel for persons in Ireland charged with offences against the State, he was a pensioner of the Government, and that in less than half an hour after a consultation on the part of the friends of the accused as to the best mode of defence, everything which passed at that consultation was communicated to the Castle. All this took place under a Tory Administration; and ought not the people of Ireland to tremble at the return of a Tory Administration to power? At this late hour I will not enter into details, but I implore the House to look at the wretched condition of the Irish people, and to ask themselves if they will contribute to the continuance of a Government the principles of which are calculated to perpetuate that misery? The right hon. Gentleman did me the honour to read some passages from a letter of mine to a noble Lord. It is unpleasant for a man to read his own compositions; but I feel it due to myself and to my friends to read some other passages. That letter was addressed to a nobleman, a Member of the late Government, whom I always highly respected, and with whose friendship I am proud to boast, that I am honoured. It contained an opinion on several of the proceedings of the late Government, whose great fault, above all, I told that noble Lord, appeared to me to be that they had appointed an Attorney-General for Ireland out of the ranks of the enemy. The answer was, that the individual in question was one of the most liberal of Liberals; that he was, in fact, overflowing with liberality. Yet there sits the hon., or, I should rather say, the right hon. Gentleman. The Chinese call an officer of the Government an eye, and they call an officer of a foreign Government a barbarian eye. Many a barbarian eye has been in Ireland, looking at the condition of that country with distorted vision; and misrepresenting that condition to men such as the present Chief Secretary—men of honourable and chivalrous minds; for a braver soldier or a more honourable man than that right hon. Gentleman never lived. [*Calls of* “*Question*”] I am not surprised that the House should be impatient; but I am stating the unfortunate case of Ireland, and the miseries which she is enduring, and I said that I owed it to myself and to my friends to read some passages in my letter to a noble Lord, and I will now do so. [The hon. and learned Gentleman here read some passages from his letter to Lord Duncannon.] With respect to the manner in which Juries were managed in Ireland, I will appeal to letters which have appeared in the public prints, from William Ford and Charles Henry Grady; I appeal to the hon. Member for Kildare—I appeal to the hon. Member for Cashel. The Speech from the Throne alludes, in the strongest terms, to the Tithe Question in Ireland. It states that there are many important subjects, an adjustment of which, at as early a period as is consistent with the mature consideration of them, would be of great advantage to the public interests; and that among the first, in point of urgency, is the state of the Tithe Question in Ireland, and the means of effecting an equitable and final adjustment of it. What do the Government mean by final adjustment? Do they mean to render the Tithe system in Ireland less burdensome to the agriculture of the country? No! Do they mean to alter the destination of the Church revenues in Ireland? No! Do they mean to abstain, in a country essentially Catholic, from applying funds derived from the whole population to the exclusive use of the Protestant portion of the community? No! Fifty such final adjustments as the present Government intend to propose have already been ineffectually attempted. Not the slightest prospect of a real and *bona fide* final adjustment of the tithe question is held out in the Speech or the Address. And yet, for fifty years, all the disturbances in Ireland have been more or less connected with the existing Tithe system. Then, with respect to the Reform of Municipal Corporations, does the Speech hold out any hope of speedy and effective measures on that subject? Far from it. All distinct declaration respecting it is avoided, on the poor pretext that the Report of the Commissioners has not yet been received. Does his Majesty's Government want the Report of the Commissioners to inform them that the existing Corporation system is unjust, oligarchical, and corrupt? Did they never hear of the Corporation of Leicester? Did they never hear of the Corporation of Bath? Did they never hear of the Corporation of Dublin? It is well known that the maintenance of Orange power in Ireland depends on the continuance of the Corporation system. In the absence of a Parliament in Ireland the Corporation of Dublin has assumed the most extravagant and unjustifiable powers. It is enough to show the character of that Corporation to state, that, although since the year 1792, Catholics have been eligible to admission into that Corporation, not a single Catholic has, during that long period, been admitted. I trust that, on these points, at least, whatever may be the fate of the question immediately before us, some notice may be introduced into the address on the Report, some pledge that this House will interpose, and, by an effectual Corporate Reform, defeat the machinations of faction in Ireland. That the Orange faction is most injurious in Ireland, no honourable man will deny; and I am sure I may confidently appeal to the hon. Member for Coleraine, to say what an Orange mob is in the north of that country. Am I wrong in apprehending that the present Government will give every possible aid to the Orange faction in Ireland? Are they not filling the Bench with Tory Barristers? Have not the Members of the Government been distinguished throughout life by their unrelenting opposition to Catholics, and by their hostility to the just claims of the Irish people? I will now conclude; for I shall have an opportunity of making some further observations on the bringing up of the Report. I feel that my country will not receive justice at the hands of the present Administration. Their accession to power has palsied the cause of freedom throughout Europe. There is not an oppressor of his people, there is not a tyrant, who was not delighted with it. There is not an oppressed individual, there is not a struggler against tyranny, who did not hear of it with dismay [" *No! No!*"] I say, "Yes! yes!" In Portugal, in Russia, the friends of absolute authority were all rejoiced at the occurrence. The Polish mothers will now be allowed to weep and wail, without any interposition on our part, lest the delicacy of the Russian Autocrat should be offended. The friends of liberty over the whole globe will "hide their diminished heads," and the enemies of liberty will exult. I and my friends have been taunted by the Gentlemen opposite, who have characterised our union with the Whigs as a rope of sand, and who have predicted that, although I now support the Whigs, should the Whigs come into power I shall withdraw that support, and call for a Repeal of the Union. They are mistaken. All I shall call upon the Whigs to do when they return to power will be, first, to amend the Reform Bill, correcting its machinery in such a manner as to render it as effective in Ireland as it is in England; secondly, after providing sufficiently for the temporal and spiritual wants of the Protestant Church in Ireland, to apply the surplus of the Ecclesiastical revenue in that country to purposes of religion and charity, as specified in the measure of my noble Friend near me; and thirdly, and lastly, to introduce a thorough Reform in the Corporations of the country, so as to place them under popular control. Such are the measures which, let who will be in or out of office, shall have my support. If I am asked whether I mean to propose the Repeal of the Union, my answer is, that I will suspend that operation should the three measures which I have described be carried into effect, in order to see what may be their result; and that, if they should fail in producing the beneficial results which may justly be expected from them, I will then propose the Repeal of the Union. Repealers and Radicals have been charged with coalition. Why have they so coalesced? Because the liberties of the country are in danger. Let the country reflect on the efforts made by the friends of the present Government during the late election. If, on the one side, were placed the profit which they had gained by the immense and profligate waste of money, and, on the other, the loss which the cause of religion had sustained, I put it to the right hon. President of the Board of Trade, whose powers of calculation are so well known, to say, if a worse bargain could possibly have been made.

Mr. *Baring* was at a loss to know why the hon. Gentleman applied this observation to him personally.

Mr. *O'Connell:* How is it possible that the right hon. Gentleman can suppose that I meant to make any improper allusion to him? I was merely speaking of his ability in matters of finance. I do not mean to say, that the right hon. Gentleman has ever heard of these malpractices; still less do I accuse him of participation in them. If, however, the right hon. Gentleman has not heard of them before, he has heard of them now; and no man in this House will venture to deny the truth of his charges. I have done. I know that I have been compelled in the course of my address, to introduce irritating topics, and raise unpleasant feelings; but if the things I have uttered are unpleasant to hon. Members to hear, what must be the feelings they excite in the breasts of those who are doomed to witness and suffer from them? Let the House not think that it is my wont or pleasure to assail the defenceless, or make sport with the character of the stainless and innocent; but I ever will denounce a Government which supports, and is itself upheld by, a faction condemned by the spirit of laws proposed by themselves.

Mr. *Shaw* observed, that it was not his intention to detain the House many minutes. Without meaning the slightest disrespect to the hon. and learned Memtleman who had just sat down, without intending to disparage his great talents, or deny his general power to make an impression upon the House, he must plainly and in perfect sincerity tell him that his speech upon this occasion was an utter failure, and that he had made no impression whatever upon the House that night. He understood that he should have an an opportunity upon the bringing up of the Report to make a few observations. He was in that House as an independent Member of the United Parliament, pledged by his feelings and his duty to apply himself to the promotion of the common interests of the United Empire. Upon the bringing up of the Report he hoped to be able to show who it was that kept alive the spirit of faction in Ireland; for whose pleasure and to whose profit that spirit was kept up there. He had but one word more, which he believed the House would be glad to hear; it was, that amongst the moderate men of all parties and politics—and he was happy to add, of all religions in Ireland, there existed a strong desire to get rid of that odious system of agitation of which all were weary, and which had so long interrupted all the relations of civilized and social life in that unhappy country.

Mr. *O'Dwyer*, amidst the strongest manifestations of impatience, persisted in demanding a hearing. The hon. Member was understood to complain of the language used by the last speaker towards his hon. and learned Friend who had just left the House (Mr. O'Connell). He had assailed his hon. and learned Friend as an agitator. He was an agitator; but it was for the liberties of his country. The right hon. and learned Gentleman (Mr. Shaw) was himself an agitator; but he made his agitation auxiliary to his personal profit and honour. It was agitation that made him a Member of Parliament—it was agitation, in like manner, that had made him a Privy Councillor—and from the same fertile source the right hon. and learned Gentleman had reaped honours which had, in his case, been squandered and alienated from their right channel as the reward of public services. He warned the right hon. and learned gentleman, that he was opposing himself to a power which he would find too strong for him.

The House divided on the original Question: Ayes, 302; Noes, 309—Majority for the Amendment, 7.

List of the Ayes.

Agnew, Sir A. Bart.
Alford, Lord
Alsager, R.
Arbuthnot, Hon. H.
Archdall, M. junr.
Ashley, Lord
Ashley, Hon. H.
Attwood, M.
Bagot, Hon. W.
Bailey, J.
Baillie, Col.
Balfour, J.
Barclay, D.
Barclay, C.
Baring, F.
Baring, W. B.
Baring, Rt. Hon. A.
Baring, H. B.
Baring, T.
Barneby, J.
Bateson, Sir R.
Beckett, Sir J.
Bell, M.
Benett, J.
Bentinck, Lord G.
Beresford, Sir J. P.
Bethell, R.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Bolling, W.
Bonham, F. R.
Borthwick, P.
Bradshaw, J.
Bramston, T. W.
Bruce, Lord E.A., C.B.
Bruce, C. L. C.
Brudenell, Lord
Bruen, Colonel
Bruen, F.
Bulkeley, Sir R. B. W.
Buller, Sir J. B. Y.
Buller, Sir E.
Burrell, Sir C. M., Bt.
Calcraft, J. H.
Campbell, Sir H. P.
Canning, Sir S.
Carruthers, D.
Castlereagh, Viscount
Chandos, Marquis of
Chaplin, T.
Chapman, A.
Charlton, E. L.
Chatterton, Col.
Chichester, A.
Churchill, Lord C. S.
Clerk, Sir J., Bart.
Clive, Viscount,

Clive, Hon. R. H.
Codrington, C. W.
Cole, Hon. A. H.
Cole, Viscount
Compton, H. C.
Conolly, E. M.
Cooper, E. J.
Coote, Sir C. C., Bart.
Copeland, W. T.
Corbett, T. G.
Corry, Hon. H. L.
Crawley, S.
Crewe, Sir J.
Crewe, Sir G., Bart.
Cripps, J.
D'Albiac, Sir C.
Damer, D.
Dare, R. W. H.
Darlington, Earl of
Davenport, J.
Denison, J. E.
Dick, Q.
Dottin, A. R.
Dowdeswell, W.
Duffield, T.
Dugdale, D. S.
Duncombe, Hon. W.
Duncombe, Hon. A.
Dundas, R. A.
Durham, Sir P. C. H.
East, J. B.
Eastnor, Viscount
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P. de M.
Egerton, Lord F.
Entwistle, J.
Estcourt, T. G. B.
Fancourt, C. St. John
Fector, J. M.
Ferguson, G.
Ferguson, Sir R. A.
Fielden, W.
Finch, G.
Fleetwood, P. H.
Fleming, J.
Foley, E. T.
Follett, Sir W. W.
Forbes, Lord
Fremantle, Sir T. F.
Forbes, W.
Forester, Hn. G. C. W.
Forster, C. S.
Freshfield, J. W.
Gaskell, J. Milnes
Geary, Sir W. R. P.
Gladstone, W. E.
Gladstone, T.
Gordon, Capt.
Gore, W. O.
Goulburn, Rt. Hn. H.
Goulburn, Serjt.
Graham, Sir J. R. G.
Grant, Hon. F. W
Greene, T.
Gresley, Sir R.
Greville, Sir C. J.
Grimston, Viscount
Grimston, Hon. E. H.
Halford, H.
Halse, J.
Hamilton, Lord C.
Hanmer, Sir J., Bart.
Hanmer, H.
Harcourt, G. G.
Hardinge, Sir H.
Hardy, J.
Hawkes, T.
Hay, Sir J., Bart.
Hayes, Sir E S., B.
Henniker, Lord
Herbert, Hon. S.
Herries, Rt. Hn. J. C.
Hill, Sir R., Bart.
Hill, Lord A.
Hogg, J. W.
Hope, Hon. J.
Hope, H. T.
Hotham, Lord
Houldsworth, T.
Hoy, J. B.
Ingham, R.
Inglis, Sir R. H., Bart.
Irton, S.
Jackson, J. D.
Jermyn, Earl of
Johnstone, J. J. H.
Johnstone, Sir J.
Jones, T.
Jones, W.
Kavanagh, T.
Kearsley, J. H.
Kelly, F.
Ker, D.
Kerrison, Sir E.
Kirk, P.
Knatchbull, Sir E.
Knox, Hon. J.
Lawson, A.
Lee, J. L.
Lefroy, T.
Lefroy, A.
Lennox, Lord J. G.
Lewis, D.
Lewis, W.
Leycester, J.
Lincoln, Earl of
Lopes, Sir R.
Lowther, Lord
Lowther, Hn. H. C.
Lowther, J. H.
Lucas, E.
Lygon, Hn. Col. H. B.
Mackinnon, W. A.
Maclean, D.
Mahon, Lord
Mandeville, Viscount
Manners, Lord R.
Marsland, T.
Martin, J.
Mathew, Captain
Maxwell, H.
Miles, W.
Miles, P. J.
Miller, W. H.
Mordaunt, Sir J., Bt.
Morgan, C. M. R.
Mosley, Sir O., Bart.
Neeld, J.
Neeld, Joseph
Nicholl, J.
Norreys, Lord
North, F.
O'Neill, Hn. J. R. R.
Ossulston, Viscount.
Owen, Sir J. Bart.
Owen, H.
Palmer, R.
Patten, J. W.
Pechell, Capt.
Peel, Sir R. Bart.,
Peel, Rt. Hn. W. Y.
Peel, Colonel
Peel, E.
Pelham, J. C.
Pemberton, T.
Penruddocke, J. H.
Perceval, Colonel
Phillipps, C. M.
Pigot, R.
Plumptre, J. P.
Polhill, F.
Pollington, Viscount
Pollock, Sir F.
Powell, W. E.
Praed, W. M.
Praed, J. B.
Price, S. G.
Price, R.
Pringle, A.
Pusey, P.
Rae, Sir W., Bt.
Reid, Sir J. R.
Richards, J.
Rickford, W.
Ridley, Sir M. W.
Robinson, G. R.
Ross, C.
Rushbrooke, R.
Russell, C.
Ryle, J.
Saunderson, R.
Sandon, Viscount
Scarlett, Hn. R. C.
Scott, Lord J.
Scott, J. W.
Scott, Sir E. D.
Scourfield, W. H.
Shaw, F.
Sheppard, T.
Sibthorp, Colonel
Sinclair, G.
Smith, A.
Somerset, Ld. G. C. H.
Somerset, Ld. R. E. H.
Smyth, Sir G. H. Bart.
Spry, Sir S. T.
Stanley, Lord
Stanley, E.
Stewart, J.
Stewart, P. M.
Stormont, Viscount
Sturt, H. C.
Surrey, Earl of
Sutton, Rt. Hn. Sir C. M.
Talbot, C. R. M.
Tennant, J. E.
Thomas, Colonel
Thompson, W.
Tollemache, Hon. A.
Townsend, Lord J.
Trench, Sir F.
Trevor, Hon. G R.
Trevor, Hon. A.
Turner, W.
Turner, T. F.
Twiss, H.
Tyrrell, Sir J. T.
Vaughan, Sir R. W.
Vere, Sir C. B. Bart.
Verner, W.
Verney, Sir H., Bart.
Vernon, G. H.
Vesey, Hn. T.
Vivian, J. E.
Vyvyan, Sir R. R.
Walker, R.
Wall, C. B.
Walter, J.
Welby, G. E.
Weyland, R.
Whitmore, T. C.
Wilbraham, Hn. R.
Williams, R.
Williams, T. P.
Wilmot, Sir J. E., Bt.
Wilson, H.
Wodehouse, Hn. E.
Wood, T.
Worcester, Marq. of
Wortley, Hn. J. S.
Wyndham, W.
Wynn, Rt. Hn. C. W.
Wynn, Sir W. W.
Yorke, E. T.
Young, Sir W. L
Young, G. F.
Young, J.

PAIRED OFF.

Kavanah, T.
Smith. T. A.
Hughes, W. H.

List of the NOES.

Acheson, Viscount
Adam, A.
Aglionby, H. A.
Alston, R.
Andover, Lord
Anson, Sir G.
Astley, Sir J. Bart.
Attwood, T.

Angerstein, John
Ainsworth, P.
Bagshaw, J.
Baines, E.
Bannerman, A.
Barham, J.
Baring, F. T.
Barnard, E. G.
Barron, H. W.
Barry, G. S.
Beauclerk, A. W.
Beaumont, T. W.
Bellew, R. M.
Bellew, Sir P. Bt.
Berkeley, Captain
Berkeley, Hon. C. F.
Berkeley, Hn. G. C.
Bernal, R.
Bewes, T.
Biddulph, R.
Blackburn, J.
Blake, M. J.
Blamire, W.
Blunt, Sir C. R.
Bodkin, J. J.
Bowes, J.
Bowring, Dr.
Brabazon, Sir W. J.
Brady, D. C.
Bridgman, H.
Brockelhurst, J. Junr.
Brodie, W. B.
Brotherton, J.
Browne, D.
Buckingham, J. S.
Buller, C.
Bulwer, E. L.
Bulwer, H. L.
Burton, H. P.
Burdon, W. W.
Butler, Hon. P.
Buxton, T. F.
Byng, G.
Byng, Sir J.
Campbell, Sir J. F.
Carter, J. B.
Cave, O.
Cavendish, Hon. C. C.
Cavendish, Hon. G.H.
Cayley, E. S.
Chalmers, P.
Chapman, M. L.
Chetwynd, W. F.
Chichester, J. P. B.
Clay, W.
Clayton, Sir W. R.
Clements, Viscount
Clive, E. B.
Cockerell, Sir C.
Codrington, Sir E.
Collier, J.
Conyngham, Lord A.
Cookes, T. H.
Cowper, Hon. W. F.
Crawford, W.
Crawford, W. S.
Crompton, S.
Curteis, H. B.
Curteis, E. B.
Dalmeney, Lord
De Beauvoir, Sir J. E.
Denison, W. J.
Dennistoun, A.
Divett, E.
Dobbin, L.
Donkin, Sir R. S.
Duncombe, T. S.
Dundas, Hon. J. C.
Dundas, Hon. T.
Dunlop, C.
Dykes, F. L. B.
Ebrington, Lord
Edwards, J.
Elphinstone, H.
Etwall, R.
Evans, Col. de Lacy
Evans, G.
Ewart, W.
Euston, Lord
Fazakerley, J. N.
Fellowes, Hon. N.
Fergus, J.
Ferguson, Sir R. C.
Ferguson, R.
Fergusson, Rt. Hn. R. C
Finn, F. W.
Fitzgibbon, Hon. R. H.
Fitzroy, Lord C.
Fitzsimon, N.
Fitzsimon, C.
Folkes, Sir W. J. H. B.
Fort, J.
Fox, C. R.
Gaskell, D.
Gillon, W. D.
Gisborne, T.
Gordon, R.
Goring, H. D.
Grant, Right Hon. C.
Grattan, H.
Grattan, J.
Grey, Hon. C,
Grey, Sir G. Bt.
Grosvenor, Lord R.
Grote, G.
Gully, J.
Hall, B.
Hallyburton, Hn. D. G.
Handley, Henry
Harland, W. C.
Harvey, D. W.
Hawes, B.
Hawkins, J. H.
Hay, Colonel L.
Heathcote, J.
Heathcote, R. E.
Hector, C. J.
Heneage, E.
Heron, Sir R. Bt.
Hindley, C.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodges, J. T.
Holland, Edward
Hoskins, K.
Howard, Hn. E. G. G.
Howard, P. H.
Howard, R.
Howick, Viscount
Hume, J.
Humphery, J.
Hurst, R. H.
Hutt, W.
Jephson, C. D. O.
Jervis, J.
Johnston, A.
Kemp, T. R.
Kennedy, J.
Kerry, Earl of
King, E. B.
Labouchere, H.
Lambton, H.
Leader, J. T.
Lefevre, C. S.
Lennard, T. B.
Lister, E. C.
Littleton, Rt. Hn. E. J.
Locke, W.
Lushington, C.
Lushington, Dr.
Lynch, A. H. S.
Long, Walter
Lock, J.
M'Cleod, R.
Mackenzie, A. J. S.
Macnamara, W. N.
M'Cance, J.
M'Taggart, J.
Maher, J.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, T. B.
Maule, Hon. F.
Maxwell, J.
Methuen, P.
Milton, Viscount
Molesworth, Sir W.
Moreton, Hon. A. H.
Morpeth, Viscount
Mostyn, Hon. E. L.
Mullins, F. W.
Murray, J. A.
Musgrave, Sir R. Bt.
Nagle, Sir R. Bt.
O'Brien, C.
O'Brien, W. S.
O'Connell, M.
O'Connell, D.
O'Connell, J.
O'Connell, M. J.
O'Connell, M.
O'Connor, F.
O'Connor, Don
O'Dwyer, A. C.
O'Ferrall, R. M.
Oliphant, L.
O'Loughlin, M.
Ord, W. H.
Ord, W.
Oswald, R. A.
Oswald, J.
Paget, F.
Palmer, C.
Parker, J.
Parnell, Sir H. Bt.
Parrott, J.
Pattison, J.
Pease, J.
Pelham, Hon. C. A. W.
Pepys, Sir C. C.
Perrin, L.
Phillips, M.
Pinney, W.
Ponsonby, Hon. J. G. B.
Potter, R.
Poulter, J. S.
Power, J.
Power, P.
Poyntz, W. S.
Price, Sir R.
Pryme, G.
Ramsbottom, J.
Ramsden, J. C.
Rice, Rt. Hon. T. S.
Rippon, C.
Robarts, A. W.
Roche, W.
Roche, D.
Roebuck, J. A.
Rolfe, R. M.
Ronayne, D.
Rooper, J. B.
Rundell, J.
Russell, Lord J.
Russell, Lord W.
Russell, Lord C. J. F.
Ruthven, E. S.
Ruthven, E.
Scholefield, J.
Scrope, G. P.
Seale, Colonel
Seymour, Lord
Sharpe, General
Sheil, R. L.
Sheldon, E. R. C.
Simeon, Sir R. G.
Smith, R. V.
Smith, Benjamin
Smith, Hon. R.
Smyth, Benjamin
Speirs, G.
Stanley, Hon. H. T.
Stanley, E. J.
Steuart, R.
Stewart, Sir M. S.
Strickland, Sir G.
Strutt, E.
Stuart, Lord D. C.
Sullivan, R.
Talbot, J. H.
Talfourd, T. N.
Tancred, H. W.
Tennyson, Rt. Hon. C.
Thompson, P. B.
Thomson, Rt. Hn. C. P.
Thornley, T.
Tooke, W.

Townley, R. G.
Tracey, C. H.
Trelawney, Sir W. L.
Trowbridge, Sir E. T.
Tulk, C. A.
Tynte, C. K. K.
Tynte, C. J. K.
Villiers, C. P.
Villiers, F.
Wakley, T.
Walker, C. A.
Wallace, R.
Warburton, H.
Ward, H. G.
Wemyss, J.
Westenra, Hon. H. R.
Westenra, Hon. J.
Whalley, Sir S.
White, S.
Wigney, I. N.
Wilbraham, G.
Wilde, Sergeant
Wilkins, W.
Wilks, J.
Williams, W.
Williams, Sir J.
Williams, W. A.
Williamson, Sir H.
Winnington, Sir T.
Winnington, Captain
Wood, M.
Wood, Charles
Wrightson, W. B.
Wrottesley, Sir J.
Wyse, T. Jun.

PAIRED OFF.

Langton, W. G.
Vivian, Major
Pendarves, E. W

HOUSE OF LORDS,

Friday, February 27, 1835.

UNNECESSARY OATHS.] The Duke of *Richmond* moved the first reading of a Bill for the Abolition of Oaths and Affidavits, taken and made in various departments of the State, and to substitute declarations in lieu thereof. If he got the first reading of the Bill, he should move that it be referred to a Committee up stairs; and as that was his intention, it was probably advisable that he should shortly state the nature of the bill. Some apology was perhaps due from him for undertaking a subject of such importance, but having last Session moved for a Committee, and having been appointed Chairman of that Committee, he felt that he ought to embody in the Bill their unanimous opinion, especially as he agreed with them upon it. The first object of the Bill was to enable the Lords of the Treasury to dispense with oaths, and to substitute declarations in all the departments under their control. Every man who read the statement he was about to make, would be convinced of the necessity of the alteration, and would see that there were thousands of oaths taken in the course of the year that were useless. In the Army Pay-office there were 86,000 persons, who are obliged to take oaths five times in one year. There were 47,000 who were obliged to take oaths to obtain their half-pay. Some of these oaths were clearly unnecessary, for when a general officer receives his half-pay, he may take it without an oath, but if he has lost an arm he must swear four times a year that he has lost it. The oaths administered to trustees of turnpikes and to churchwardens were likewise unnecessary; and if the change only went to abolish the oaths taken by churchwardens, it would not be undeserving of their Lordships' attention. Churchwardens were called on every year to appear before the Ordinary, and swear to obey the canons, and some of these canons obliged them to swear that before the Ordinary they would present every person who was guilty of adultery and drunkenness, and among other things one which the Catholic Relief Bill had by some accident omitted to abolish: they swore to present to the Ordinary every person who was a defender of Popish and Romish doctrines. It was not his intention to legislate with regard to oaths taken in courts of justice, though he believed that some of these, especially those taken at the Judges' Chambers, were not taken as they ought to be. He should not propose, however, to touch them, because he was quite sure that those learned and respectable persons, the Judges, would, when their attention was called to the matter, make some rules of Court for the remedy of the evil.

The Marquess of *Lansdown* expressed his approbation of the course pursued by the noble Duke.

Bill read a first time, and referred to a Select Committee.

JAMAICA.—SLAVERY.] The Earl of *Mulgrave*, in rising to ask the Question of which he had last night given notice, hoped their Lordships would excuse him if he first explained the object of the Question. It would make the answer more satisfactory to them. It was more necessary for him to go into this explanation, because the question of the Abolition of Negro Slavery was one respecting which, whatever might be their political differences, there was in all classes a most intense interest; and there was among all men, whatever, a strong desire that nothing should be done which, from a want of due caution, might have an injurious effect on the measure. The point on which he asked for an answer was connected with the extent of the power that was to be placed in the hands of the different magistrates of the Colony. Their Lordships were aware, that when the Bill for the Abolition of Slavery was passed, as it was intended that there should be for the negroes an intermediate state between slavery and freedom, it was resolved that there should be power put into the hands of gentlemen not connected by property with the Colony, but sent there from this country as special magistrates. That was, in his opinion, one of the most important principles of the Bill. It was one great point that it took away arbitrary punishments by the masters. Another great point, as there must be in this intermediate state a great degree of discretionary power vested somewhere, was, that it insured the execution of impartial justice; that the parties who had no interest one way or the other were those in whose hands alone the power of punishment was placed; and he might from his own experience tell their Lordships, that when he explained, which he did about this time last year, to about 100,000 negroes their new situation, there was nothing that he observed make such an impression upon them as the statement, that if they misconducted themselves they would be punished—not punished by their masters, but by Gentlemen who would be sent by the King for that purpose, and who neither knew them nor their masters, but would act impartially between both. During the last Session of the Jamaica House of Assembly, a representation was made, that the number of these special Magistrates sent from England was not sufficient, and a call was made on the Government to appoint a certain number of local Magistrates to exercise the duties of special Magistrates in each parish. He could not say how much he approved of the conduct of his noble Friend in refusing to accede to that call. The manner of the refusal was firm and temperate; but his noble friend felt truly, that he had no alternative but to refuse, for the application was at variance with the spirit of the Act which he was sent to administer. The effect of the proposed alteration would have been to restore the arbitrary power of punishment to the masters. When he was Governor of Jamaica, he had been authorized by the noble Lord (Stanley) then at the head of the Colonial Department, to appoint a certain number of gentlemen resident in the island, but unconnected with the slave property there, to be special Magistrates, and that authority was rightly conceded; but to appoint local Magistrates from each parish to such an office, would have been striking at the root of the Bill. He wished to ask the noble Earl opposite, whether the conduct of his noble Friend the present Governor of Jamaica, in refusing his assent to the proposed measure, met with the approbation of the present Government, as it most assuredly would have met with the approbation of the late Administration. It was a matter of necessity to know this, that that important question might be set at rest. He did not wish to assume a feeling of party triumph, or to recur to past debates or dissensions, or doubts as to the success of the measure. He was content with the words of the King's Speech, which, speaking of course under the advice of the Ministers, declared that his Majesty entertained the most confident hopes of its success. There was one other point connected with Jamaica. Their Lordships were aware that there had been (not religious dissensions, for there was probably no place in the world where there was so little of jealousy on that subject) but a great prejudice against those who were called Sectarians, among whom were the dissenting missionaries, and some even of the Church missionaries, who were distinguished by the name of Evangelicals. The letters he had received showed, that all the old animosities against these persons had begun to revive. Even in the House of Assembly, and in the public papers, which were published two days before the sailing of the last packet, and immediately after the change of Administration had become known on the island, it was said, that now that they had got rid of the canting hypocrites, and friends of the Abolition Measure, the colonists were to try what they could do for themselves. On this subject, he must assure the noble Duke, that the noble Duke was wrong when he said, in one of his speeches in that House, that the planters had much to complain of in the conduct of the Missionaries. He had been two years in Jamaica, and he must say, that in all that he had seen, the discretion of the Missionaries was only equalled by their zeal. Under these circumstances, he hoped that the noble Lord opposite would give him the assurance, that it was the intention of the present Government to carry into effect the object of the Legislature with regard to the religious instruction of the negroes, upon an extensive and comprehensive plan. This was the more necessary, because, though some members of the Church of Jamaica were as ready to forward the education of the negroes as were the dissenting Missionaries, and mixed with them as readily and freely, that was not the case with all, and could not be the case, if the violent language he had alluded to seemed to receive a sanction from the present Administration.

The Earl of *Aberdeen* said, that he was not in the least degree desirous of undervaluing the great importance of the subject; and he could assure their Lordships, that he felt as anxious as any one to see carried into full effect, every part of the provisions of the law for the abolition of slavery. The first vote he had ever given in Parliament, had contributed to swell that majority which had decreed that the final abolition of slavery should, at an early period, take place; and though he had not taken an active part in that measure (as, indeed, he did not often take in any measure, when his duty did not call on him to do so), still he had always done every thing to assist in carrying into effect that decision, and in preparing for that consummation to which we had now arrived. Having said thus much of his conduct as an individual, he should now speak of his conduct in a public capacity. He should state what was his first official act on his appointment to his present office. It was to send to the noble Marquess who was now the Governor of Jamaica, having satisfied himself of the general character of his conduct there, and recollecting that the change of Administration frequently produced a change of men in the Colonies in places of trust and confidence, and recollecting, too, that one of the noble Marquess's predecessors had been relieved from the Government of that island without any reason assigned, or disapprobation of his conduct expressed — recollecting these things, he wrote to the noble Marquess, at once, to request him only to consider the advancement of the great cause in which he was engaged, and to retain the office which he filled; and he had promised the noble Marquess the support of the Government in the execution of his duty in everything that could tend to the complete success of the measure which circumstances called on him to administer. He had not yet received an answer to his communication, though he might expect it daily. He knew that the noble Marquess might consider removal from office as a matter of course; but after the request so made, he trusted that the noble Marquess would still give Government the benefit of his services. With respect to the intention of confining the execution of the law between master and apprentice to the special stipendiary Magistrates, to the exclusion of the local Magistrates, he stated without hesitation that he had already conveyed to the noble Marquess his Majesty's approbation of the course which the noble Marquess had followed, in the answer he gave to the Address on that subject, and a statement that there was no intention whatever to change any one of the instructions which he had received. At the same time he must be permitted to say that the situation of the planter was one of extreme hardship, and justified complaint. In the distribution of special Magistrates sent out from this country, thirty were allotted for Jamaica. Those who knew the duties to be performed by these Magistrates, the geographical character of the country, and the impossibility of acting with effect with a small number of Magistrates, must be aware that thirty were not enough. Representations of the most urgent description had been made on this subject, and his right hon. predecessor in office had taken on himself, wisely, justly, and necessarily, to make a considerable addition to the number of stipendiary Magistrates. He, himself, had added a few more; and he had now the satisfaction to believe that they would, without any great inconvenience, be able effectively to discharge their duties. The thirty had been increased to sixty-one. He should not pledge himself that the Governor might not, in the exercise of his discretion, appoint local Magistrates to the office of stipendiary Magistrates. If he did, they would be under his observation. It was not probable that the Governor would do so; but if he did, they would be rare exceptions; for the Governor's opinion was an opinion in which he (Lord Aberdeen) fully concurred, that the execution of the Act should be left as much as possible in the hands of the stipendiary Magistrates. There was, however, a peculiarity in this case, for which he was not able to account. In Jamaica the rule for their exclusion had been adhered to strictly; but in all the other Colonies local Magistrates had been invested with the powers of the stipendiary Magistrates. He had heard no complaint of the practice. As, however, the Governor of Jamaica was of opinion that that practice could not with advantage be extended to that island, he had not the least intention of altering that which he hoped would be found of benefit to all. The other question, or assurance, which the noble Earl had asked for, was one which he felt no difficulty whatever about. He was aware, that great animosity had prevailed on the subject of Missionaries in the island of Jamaica; and though he would not say with the noble Earl, that their zeal had never outrun their discretion, still he was ready to declare that they should receive all the protection of the law in their good works, which were not only lawful but laudable. With respect to religious instruction, without it the Act would be productive of no blessings. If they did not exert vigorous efforts to give instruction to the negroes, those persons at the end of their apprenticeship would be free in body but slaves in mind, and instead of a blessing their freedom would be a curse. He was ready to admit that a prejudice existed against the Missionaries, but he himself looked for their most useful and active co-operation in effecting that which he considered indispensable, and he should be most happy to give them such an assurance as would tranquillize all doubts on the subject. He hoped that this answer would be deemed satisfactory to the noble Earl; the spirit in which it was given, he surely could not complain of. But he (Lord Aberdeen) must say, on his own behalf, that he was glad he had been enabled to give it, for he had just heard that he had very recently been held up as an enemy to the human race, and that it had been said that it was monstrous that to his care should be intrusted the happiness of so many millions of persons. He assured their Lordships that he was no enemy to the human race, nor was he an enemy to the orator of the human race, who had made the accusation.

The Duke of *Wellington* begged to say that he had opposed the Abolition Bill most sincerely; but that, with respect to that Bill, he could assure their Lordships that when it became the law of the land, there was no one who wished success to it more cordially than he did. It was the same with regard to other Bills which he might oppose in their passage through Parliament; but when once passed, there was no one who was more willing to execute their enactments, according to the intentions of Parliament, and of those who had proposed them.

The Earl of *Ripon* was happy to be able to state from all he could learn on the subject, that the success of the Abolition Act was likely to be as complete as its most sanguine friends could desire. He took that opportunity of saying, that considering the nature of the duties of the stipendiary Magistrates, and the qualifications required for their office, their remuneration was not sufficient. He thought, too, that the number of the Church clergy provided for the religious education of the people, was not sufficient.

Lord *Brougham* agreed with his noble Friend, that the numbers of the special Magistrates and the clergy were not sufficient. He had himself brought the matter of the insufficiency of the numbers of the special Magistrates, under the notice of the noble Lord (Lord Stanley), formerly at the head of the Colonial Department, and afterwards under that of his right hon. Friend; and by his right hon. Friend the remedy for the evil had been begun, and it now appeared to have been completed by the noble Earl opposite.

Lord *Seaford* said, that he deemed this to be a most important question, and he assured the House that he was not influenced by any spirit of distrust towards his Majesty's Ministers. He sympathised in the hope that those Ministers had expressed, of confidence in the ultimate success of the great experiment that had been made upon the Colonies, and as an individual he should lose no opportunity of forwarding the objects of the Act of last Session. He was willing to offer his testimony, the testimony of an eye-witness, to the impartial, able, and beneficial conduct of his noble Friend near him (Lord Mulgrave) in the execution of his duties as Governor of the Island of Jamaica. The great difficulty that now prevailed in the Colonies was to adopt the long existing system of slave cultivation, to the provisions of the new law. On this subject much would depend on the co-operation of the inhabitants of the Colonies; but still they had not the power of enforcing obedience on the part of the negroes. He fully admitted the propriety of placing this power of coercion in the hands of impartial persons, for it would have been inconsistent with the spirit of the Bill to place that power in the hands of any one of those classes over whom, or in whose favour it was to be exercised. It was not only necessary that those gentlemen, in whose hands the power was lodged, should be well qualified for their duties, but that they should be sufficiently numerous to perform that duty with effect. He trusted that Ministers would not, on account of a small saving, risk the chance of incalculable mischief, which might ensue, if this part of the machinery of the Bill were to fail. With respect to the Missionaries, he believed that the hostility against them in the Colonies had subsided, and he believed that it had always been more of a political, than a religious character.

The Earl of *Aberdeen* said, that since he had been in office he had already been actively engaged in devising a general scheme of education throughout the Colonies; but before any general plan could be adopted, much information was indispensable, which had not yet been procured. The system would necessarily require a very considerable expenditure, and before coming down for any Parliamentary grant, it would be necessary to ascertain what sums could be derived from the Colonies, and what might be contributed from the benevolent associations. It was his wish that the number of stipendiary Magistrates in Jamaica should be eighty; but the House must be aware that all appointments above thirty were contrary to law, and that the government of the island of Jamaica had declared that sixty would be a sufficient number.

The Earl of *Mulgrave* said, that the original number of Magistrates in his opinion, had been insufficient, their salaries were inadequate; but he was rather inclined to believe that sixty would be a sufficient number.

The conversation was dropped.

HOUSE OF COMMONS,

Friday, February 27, 1835.

MINUTES.] Petitions presented. By Sir OSWALD MOSELEY, from Owners and Occupiers of Land in Staffordshire, for Relief to the Agriculturists.

THE NEW BOROUGHS.] Mr. *Ainsworth* wished to know, whether the right hon. Baronet, the Chancellor of the Exchequer, contemplated making the New Boroughs Corporations, and if so, whether he intended to establish the election of the public officers on the foundation of the 10*l.* franchise.

The *Chancellor of the Exchequer* said, the question involved so many important points, that he was not prepared at the moment to give an answer as to the course which Government intended to pursue. That in the New Boroughs provision ought to be made for an efficient police, and the due administration of justice, he had no doubt: the measures he had introduced in furtherance of these objects in the metropolis, evinced what his views on these points were. Whether it was in contemplation to extend corporations was another question: he would not say that he should object to the principle of such a measure, but, in the first place, he was not quite sure that the towns themselves were desirous of such a distinction, and even if they were, it was not to be granted without the most serious consideration. The Report of the Municipal Commissioners would throw a very great light on this subject. He was under an impression that the Bill which Lord Brougham had introduced, for the purpose of giving the New Boroughs corporations, had not met with the universal assent of the towns themselves. The great expense incurred in incorporating a town was felt as a very great objection. At any rate, it was advisable that the question should be postponed, at least till the House had had an opportunity of considering the Municipal Commissioners' Report, from which it would appear whether it was advisable to increase the number of boroughs, and if it were advisable, what defects in the present system were to be avoided.

Sir *Edward Codrington* said, that he believed the borough he represented was desirous of placing the election of its public officers on the principle of the 10*l.* franchise, but he was not so certain that they would approve of the introduction of a system of police resembling the metropolitan.

Mr. *Cobbett* hoped that, whatever might be done with reference either to new or old boroughs, the House would resist the introduction to any of them of such a Bourbon police force as disgraced the metropolis—a set of spies going sneaking about in coloured clothes.

THE ADDRESS IN ANSWER TO THE KING'S SPEECH—REPORT.] Sir *Edward Knatchbull* appeared at the Bar with the Report on the Address.

On the question, that it be brought up,

The *Chancellor of the Exchequer* said it would be most convenient, as well as most respectful to the House, that he should at once explain the course which he intended to pursue. If he had not last night answered the question put to him by a noble Lord (Lord J. Russell), it was from no disrespect either to him or to the House, or from an unwillingness to afford the House any information in his power, or from any desire to take any unfair advantage; but he had wished, in a matter of such great importance, to have a little time for making up his mind as to what course to pursue, and to avoid the inconvenience and possible danger of acting under the momentary influence of temper and disappointment. He bore in mind the disagreeable consequences which not unfrequently resulted from hasty declarations of a determination to abide by a resolution which subsequent causes force one to abandon. He had before him the vision of the division on the Malt-tax last Session. There was another reason why he had not answered the noble Lord's question, the debate had continued for three nights, and it appeared likely that it might continue a night or two more; for there were a number of Gentlemen who had evinced a desire to speak on the Question who had not yet addressed the House, and many who, from accidental and other causes, had not had an opportunity of voting. Under these circumstances he had, in the first moment, doubted whether the opinion of the House had been fairly taken; but from the inquiry he had since made, he was satisfied that the decision of the previous night, conveyed the sense of the majority of the House, and he had, therefore, made up his mind not to endeavour to subvert that decision by another division, though such a course was perfectly open to him. If the resolution he had thus come to should have the effect of preventing further delay, he should be doubly satisfied.

The Report was brought up, and read. On the question, that it be read a second time,

Mr. *Hume* said, it had been his intention to have addressed the House on the bringing up of the Report; but the announcement he had just heard had induced him to alter the course he had contemplated pursuing. Hon. Members on the other side of the House described the Opposition party as divided among themselves. They might be so in some particulars, but on one point they were unanimous; and that point was, to turn Ministers out as soon as possible. They would find that the Reform party was not that rope of sand which their enemies designated them, but they were united as one man in this great object. He would state the nature of his intended Amendment, which seemed to him a much simpler method of taking the sense of the House, and he should have merely added it to the original Address. It ran thus:—"We cannot but express our deep regret that your Majesty should have been advised to call to your Councils men in whom the people and their Representatives have no confidence, under the belief that they will not carry into effect those improvements which would flow from the Reform Act, to which your Majesty's present Ministers were tenaciously opposed in all its stages." There were, however, many modes of arriving at the same point; and from the speech and interpretation of the learned Sergeant, the Member for Leicester, (Mr. Goulburn), it was quite clear that the vote of last night was tantamount to the Amendment he meant to have submitted. The hon. and learned Member had said, that he did not like the Amendment, because it was an un-English mode of proceeding, to take a roundabout way, instead of a direct one, to reach the point at which you wished to arrive; for, said he, "It is generally understood that the real object of the Amendment is the expulsion of Ministers from their places." He admitted that his object was accomplished in obtaining the assent of the House to the Amendment of the noble Lord, and he should therefore be guilty of an indiscretion were he to avail himself of that opportunity to create a discussion upon an Amendment which he meant to support. He had, however, one or two observations to make upon points which it appeared to him had not been properly noticed in the course of the debate, and to those points he would strictly confine himself in the observations which he was about to offer to their notice. He considered that the debate which had taken place was a debate on party; and as he was no party man himself—[*laughter prevented the Hon. Member from concluding his sentence*]. He repeated the assertion, that he was no party man. He had opposed both the Tories and the Whigs again and again; and he could bring cases to the recollection of the right hon. Baronet in which he and others had kept him in office more than once by not joining in the factious opposition of mere party. He was anxious to show, that the right hon. Baronet the Member for Cumberland, who had last night heaped so much abuse on the hon. Gentleman who sat on the Opposition side of the House, had more than once, in the course of his Parliamentary career, directed a factious Opposition against Government. One instance he was sure that the House would recollect; it was on the point, whether the words "distress," or "general distress," should be inserted in the answer to the Address from the Throne. The right hon. Member for Cumberland had called them a band of factious men, leagued together for the destruction of Government—a rope of sand—a Babel Opposition. If they were a Babel Opposition, they were rendered a little less of a Babel Opposition by being relieved from the encumbrance of the alliance of men who had scarcely any principle at all to boast of. Of this he saw sure, that the right hon. Baronet and his friends around him were completely mistaken as to the object of the present Opposition. The object, to the attainment of which he had constantly looked during the last twenty years of his political life, was the reduction of the burthens of the people, and a reformation of abuses; and, on that account, he thought that the observations made by the hon. and learned Member for Yarmouth and the hon. and gallant Member for Lincoln were, at any rate, not applicable to him. It had been thrown out by those hon. Members—indeed it had been the burthen of their song the other night—that the Opposition was anxious to turn the Tories out of office in order to get into office themselves [*"Hear, hear"*]. Hon. Gentlemen cried out "hear, hear," but let them show a single case, if they could, in which he had ever exhibited any such anxiety. His friends well knew that such a thing had never entered his mind, and the assertion was entirely void of truth, and was only hazarded because nothing else in the shape of an argument could be brought against his side of the House. Why did he oppose the Tories? Because, during the long reign which they had had, he could track their progress by the confusion and misery which they had created, and because the experience which he had thus gleaned of their disposition convinced him that they were incapable of change. It now turned out, that the promises of the right hon. Baronet—the pioneers as it were of the measures to be introduced by his Government—were to be entirely set aside. The right hon. Baronet, with a manliness for which he gave him all due credit, had told the House and the country that he was unchanged, and therefore the country had a right to expect that he would adopt the same line of public duty which he and his colleagues had followed before they were turned out of office, in 1830. They had been told by the hon. and gallant Member for Inverness that that declaration of the right hon. Baronet formed the bond of union of the Ministerial party, and having observed the evils which had always followed the domination of such a high Church party as was now in power, he thought that that declaration was most ominous to the country. The right hon. Baronet had evidently come forward to support a dominant ultra-Church party, and to maintain all the property of the Church for Ecclesiastical purposes, instead of acceding to such a rational distribution of it as the people demanded. He had been sorry—no, he could scarcely say that he had been sorry—to see the conduct which had been pursued by the noble Member for Lancashire, and the section which he commanded. They had heard something about "the tail" on the Opposition side of the House, but it now turned out that the noble Lord, like his great political antagonist in Ireland, had got a tail too. But be it tail or no, this he would say, that a more unnatural junction, a more unhallowed coalition of parties, had never taken place since he had been in Parliament, than that which had taken place last night. The noble Lord and his friends had acted for years in opposition to the right hon. Baronet, and in concurrence with the hon. Gentlemen on the Opposition side of the House. The right hon. Baronet, the Member for Cumberland, who had so long acted with him and his friends near him, had declared, not many weeks ago to his constituents in Cumberland, that he differed on all points from the members of the present Administration. Moreover, the right hon. Baronet had said last night that he had no confidence whatever in them; and yet, with a strange inconsistency, which he left the right hon. Baronet and his constituents to settle, he had joined the thick-and-thin supporters of that Administration, and had given his vote to the Chancellor of the Exchequer. For his own part, he was delighted at that event. He would go further, and say, that he wished the right hon. Member for Cumberland had taken office under the right hon. Member for Tamworth. Indeed, nothing would give him greater pleasure than to see the right hon. Member for Cumberland and the noble Member for Lancashire, and all their party, join the present Administration. Nothing else was wanting to satisfy the people of England as to who were and who were not true Reformers—to discover to them who were the wolves in sheep's clothing, who were prowling about till they could find a fold in which they could enjoy the good things of office. It was the declarations of these men that had induced the House, after it had agreed to the 147th Clause of the Church Temporalities Bill, to revoke its decision, and to repeal that Clause by a majority of 380 which it had carried originally almost without a division. He had been anxious to find out who constituted this party, this tail. He had looked at the newspapers, and he fancied that he had there found out their names. The right hon. Baronet, when he was asked for their names last night, had refused to give them, but had said "You will see their names in the papers of to-morrow; you may then judge of their strength, and may satisfy yourself whether they have not always been steady supporters of the old Whig system." Now, he had looked at the newspapers, and as the right hon. Baronet had told him to look in the newspapers for the list of his newly-formed allies, he supposed that the right hon. Baronet must have sent the list to them himself. It was stated, that at the meeting of the Stanley section, which took place yesterday at the King's Arms, Palace-yard, "Lord George Bentinck was there arm-in-arm with Mr. Hughes Hughes, to whom he was explaining that theirs was to be a party especially of *gentlemen*, while Sir Andrew Agnew's holy countenance lit up with joy on learning from Lord George and Lord Arthur Lennox that it was to be a congregation of pious Christians. Mr. Lechmere Charlton, Mr. Tennent, and Mr. Richards, rejoiced to hear that they were wonderfully clever men, whose former lives and professions were not to be inquired into. In the midst of these useful explanations, the ex-Radical Member for Cumberland and ex-First Lord of the Admiralty appeared on the stage." The article then proceeded to describe their deliberations, and concluded by announcing that the party headed by Mr. Hughes Hughes, Sir J. Graham, and Mr. Richards, proceeded in an omnibus, three cabs, and a hackney-coach, to Lord Stanley's house." He wished the right hon. Member for Cumberland joy of his party; but he must deny that any of them were distinguished as steady Reformers.—He would take the hon. Member for Newcastle, who was one of them — a joint, he must call him, of this English tail. The right hon. Member for Cumberland, who for many years had assisted him in making out the lists on divisions, had described that hon. Baronet as always uncertain and unsteady, as a person whose vote could never be ascertained until after the division. At that time they (he and Sir J. Graham) had two lists—one of out-and-out Tories, and the other of out-and-out Whigs. They had also a third for loose fish, who made Whig-speeches and gave Tory-votes, and of those who figured on this third list, the hon. Member for Newcastle was one. This, then, was one of the "steady Reformers." Another of these steady Reformers was the hon. Member for Shoreham. That hon. Member had opposed the Reform Bill; and, therefore, if he were a Reformer, he was only a Reformer on the new system. Then, there was the noble Member for Lynn, the Member for South Shields, and the Member for Wigtonshire, all Reformers of the same milk-and-water character. All these hon. Members were now rallying under the banner, not of their old friend, but of their old antagonist, the right hon. Member for Tamworth, who would find his new allies but half-and-half friends, who were always waiting to see in what direction the wind would blow. It was a great advantage to all parties that these hon. Members had acted as they had done, as the country would now see that the House was divided into two great parties—Reformers and no-Reformers. He thought that the right hon. Member for Cumberland had been most peculiarly unfortunate in defending his recent change of opinion. If ever any man was entitled to be considered a Member of a factious Opposition, that right hon. Baronet was the man, for he joined in every division against Government which took place during the first fifteen years he was in the House. Yet he now talked of factious opposition, called his opponents a rope of sand, and denounced them as anxious to subvert the institutions of the country. He threw dirt on men who were at least as wise and good as himself, and vilified those whom he praised up to the moment of deserting them. Hasty converts were generally the most zealous agents, and it appeared as if the right hon. Baronet was determined to be one of those who proved his zeal in favour of his new opinions by the rancour with which he attacked his old. The right hon. Member for Cumberland and the noble Lord, the Member for Lancashire might cover, if they could, their inconsistency in the step which they had taken last night; he would say nothing more on it at present, but would leave the right hon. Baronet and his tail to their own reflections; he congratulated the right hon. Baronet (Sir R. Peel) on the friends which he had thus acquired; he congratulated the Reformers still more on the gain which they had acquired in losing such supporters, for he would at any time rather meet an open enemy than a pretended friend, who only smiled upon him to betray him. The Reformers had had the satisfaction of beating the Tories and all the Stanley party. Their triumph was thus a double victory, for it was a triumph over those who acted upon some principle, and, also over those who acted upon none at all. He was sorry that the hon. and learned Member for Leicester was not in his place, for he had been anxious to say a word or two to that hon. and learned Gentleman. His hon. friend the Member for Derbyshire, in the able and eloquent speech which he had made last night, had said that whatever acquisitions they might have made in the talents of other new Members, there was evidently no want of modesty in that Member, who, in his maiden speech, spared nobody, but abused everybody who differed from him in opinion. He had been too long accustomed to such idle abuse to care for it himself, and he would therefore pass it by without farther notice. There was, however, one observation in the hon. and learned Member's speech which had great weight in inducing him to withhold his own Amendment.—The hon. and learned Gentleman had said, that "the Amendment evidently raised this question, shall we or shall we not reject the present Ministry? and that it was a vote "withholding all confidence from the Ministry." He took the Amendment on that ground, and he hoped that they would carry to the foot of the Throne an Address, stating, that the Commons of England had no confidence in the present Administration. The hon. and learned Member for Leicester had also asked, "Will any man compare Lord Chancellor Brougham with Lord Chancellor Lyndhurst, and take the Great Seal from the latter to place it in possession of the former? He was quite ready to take the whole public life of Lord Brougham and compare it to that of Lord Lyndhurst; he was quite ready, also, to compare the merits of their private characters, and he said that the character of Lord Lyndhurst sunk when placed in the balance against that of Lord Brougham. What! would any man of common fairness compare Lord Lyndhurst to Lord Brougham as the friend of liberty, the advocate of universal freedom, the promoter of liberal education, the extender of human knowledge, and the benefactor of the human race? What was Lord Lyndhurst? He was an apostate—a notorious apostate from the principles of his early youth. There were many hon. Members in the House who could prove it. They remembered the time when he was brought from America, where he had been educated in republican principles, and where he had imbibed doctrines, which he afterwards openly professed, far more radical than any which he had ever avowed. In public life there was no comparison between Lord Brougham and the noble Lord now on the Woolsack, and in private life Lord Brougham was as much superior to Lord Lyndhurst as one man could be to another. He was prepared to prove that assertion. What! were they to sit still and to be brow-beaten when they were challenged to make comparisons between the noble Lord who now held the Great Seal and his predecessor? If the right hon. Baronet thought it consistent with his duty to stop the reply he should also have thought it consistent with his duty to stop the challenge. He repeated, that Lord Brougham was in every respect, public and private, a superior man to Lord Lyndhurst. Lord Brougham might have been led into some errors by his wish to identify himself with the people, and to share their feelings. That he had been led astray by that wish was all that could be urged against Lord Brougham, and, therefore, he would never allow such scandals, such unmerited obloquy as had been unsparingly cast upon that noble Lord, to pass unreproved in his presence. One word also upon the comparison which the hon. and learned Member for Leicester had drawn between the Duke of Wellington and Lord Palmerston, as Secretaries of State for Foreign Affairs. He admitted, that on points of military knowledge, the Duke of Wellington was infinitely the superior of the noble Lord, but in matters of politics, as the friend of civil and religious liberty, Lord Palmerston was as much above the Duke of Wellington as the Duke of Wellington was above Lord Palmerston in point of military talent. Lord Palmerston was no warrior, but he was better qualified to hold the Foreign Department than the noble Duke who had succeeded him. The hon. and learned Gentleman had also instituted a comparison between Sir R. Peel and Lord Melbourne. Now, it was difficult to make this comparison, for he was ready to give the right hon. Baronet great credit for the independent course which he had followed on many occasions. He must, however, look at them as Reformers; and as Reformers he thought Lord Melbourne far the best of the two. He could have wished that the hon. and learned Member for Leicester had carried his comparison still further between the Members of the late and the present Administration, for he would then have undertaken to prove that the principles and characters of the Members of the late Administration were far preferable and much more conducive to the progress of Reform, and the welfare and happiness of the people, than those of the present Ministry. From the tone in which the hon. and learned Member had addressed the House, one would have supposed that he had been returned to it by one of the purest constituencies in the country. Now, after the character which had been given by a high legal functionary to the Corporation of Leicester, and after the unblushing corruption and bribery which it had practised from time immemorial in the election of Members of Parliament for that town, it was too bad for the hon. and learned Gentleman, who was returned under its influence and patronage to taunt the hon. Gentlemen who sat on the Opposition Benches with not representing, the opinions of the people of England, who returned them. The hon. and learned Gentleman represented one of the most corrupt and rotten Corporations in England, and yet he presumed to talk to the Representatives of free and independent constituencies of the want of purity visible in the mode of their election! The hon. and learned Gentleman had also told the House that "the country wanted a firm and good Government." He agreed with the hon. and learned Gentleman that this was what the country wanted, but would he get a good Government from the Tories? All their deeds—all their efforts had for years past been directed to prevent the people from obtaining a good Government, and to secure a bad Government in power. The right hon. Baronet had spoken as if he (Mr. Hume) was desirous to bring back to office all the Members of the late Administration. If the right hon. Baronet really thought so, he was very much mistaken. He would bring back all of them that were good for anything, and, let him add to them whom he might, they could not be worse than the occupants of office who were then sitting on the other side of the House. [*Laughter.*] The hon. and learned Member for Yarmouth cheered what he was saying. That reminded him, that the hon. and learned Gentleman had called the Opposition a set of dangerous men, a factious band, a knot of anarchists and revolutionists, without character and without property. Now, was the hon. and learned Gentleman warranted by fact in using this language, or anything like this language? Had the Gentlemen near whom he was sitting no stake in the country? Had they no property to preserve? Had they no families, to whom they might wish to bequeath it? The fact was, that the hon. and learned Gentleman had forgotten where he was speaking, and had spoken as the voice of a corrupt Corporation yet unreformed. The hon. and learned Gentleman ought to have recollected, that however well such language might suit the assembly in which he formerly had a seat, it was very ill-suited to an assembly in which all were Reformers. Some of them, indeed, were modern Reformers, some of them were moderate Reformers, and others of whom he was one, were Radical Reformers. [*A laugh.*] They might laugh; but he hoped to live to see the day when the right hon. Baronet would press forward to enrol himself as a Radical. He had seen more extraordinary things than that. He had seen the right hon. Baronet and many of his friends, who had all their lives opposed every, the most moderate system of Reform, claim the confidence of Parliament as Reformers. He recollected well the time when the very profession of Reform was certain to draw down upon the head of him who made it the persecution of Government, and yet now the Government, from the highest to the lowest Member, were all sincere practical Reformers. There was not so small a stride in stepping from a Tory to a Reformer as there was in stepping from a Reformer to a Radical. The right hon. Baronet had made the first step, and that was always considered the most difficult step. He recollected, that it was stated in a certain publication, and extraordinary pains were taken to procure credit for the statement, that so fond had the right hon. Baronet since his conversion to its doctrines become of Reform, that he intended to outstrip the Whigs in his haste to procure it. How had that statement been verified by the event? With all the recruits which the right hon. Baronet had procured from the Stanley section, the right hon. Baronet would not, in his opinion, be able to weather the storm. If he did succeed in weathering it, it would be by sincerely adopting the principles which he professed, and on which he hoped that he would have the good sense steadily to act. The day was gone by in which the right hon. Baronet could carry on the Government in opposition to the wants and wishes of the people. With reference to the King's Speech, he must say, that it ought always to contain a development of the state of the country. Now, what did the present Speech from the Throne hold out in that respect? What did it say, with respect to the Reform of the Church in Ireland? He took that opportunity of repeating an observation which he had already made more than fifty times—"that you never would have peace in Ireland—nay, that you never ought to have peace in Ireland, until the overgrown Church Establishment of that country was pared down to a proper size, when compared with the number of the Protestants who belonged to it, and that till that was done all your attempts to soothe the ills of Ireland by an adjustment of the tithe question would be futile and unavailing." The House ought, therefore, to have received a declaration from the Throne, stating that his Majesty would soothe the ills of Ireland by reducing the Church Establishment to a scale commensurate with the Protestant population, for whose spiritual wants and instruction it was originally endowed. If the Church Establishment in Ireland were reduced to such a scale, you might withdraw 15,000 men from Ireland, and reduce taxation by a sum of 1,000,000*l.* or 1,200,000*l.* They had heard in the Speech a good deal about the continuance of peace abroad, but there was not one word in the Speech about the maintenance of peace in Ireland. Indeed, the great want in the Speech was the want of a specific announcement of some measure leading to the promotion of the domestic tranquillity of Ireland, and to the consequent reduction of taxation on the people of England. The people of England were not aware how much they were interested in settling the Church question of Ireland. If that question were once properly settled, it would lead to a reduction of establishments which would enable the Government to repeal the Malt-tax—a tax, of which the repeal would never be obtained except by a strong pressure upon the Chancellor of the Exchequer. Such a measure of Reform in the Church Establishment of Ireland would be founded on a true, wise, and sound policy, but nothing of that kind was mentioned in the Speech from the Throne. Therefore it was, that he wished the people of England to understand that the right hon. Baronet was only amusing—he would not say deluding them, when he spoke so largely about the discipline of the clergy. What cared he about the discipline of the clergy? The country wanted immediate relief, by a reduction of taxation, and a removal of those pressing burthens which it had so long borne. An alteration was demanded in the system of the Church Establishment, but from all which had as yet transpired, it would seem that it was in the contemplation of the present Government to direct to its present purposes all the Church-property, be it large, or be it small. He also held the present Government to be the enemies of a reduction in the taxation of the country. inasmuch as they were anxious to keep up the military as well as the Church Establishment of the country, for upon the former topic there was a deficiency in the Speech from the Throne, which he conceived justified his opinion in that respect. In short, the Speech contained no promise of the least relief either to the people of England, of Scotland, or of Ireland. It was true, that the Legislature had been told the distresses of the agriculturists would be considered, but did or did not the right hon. Baronet mean to keep up the monopoly of the landlords? He could tell the right hon. Baronet that neither the House nor the country would agree to a continuance of that and other monopolies. He took it that it was intended, instead of relief, to make a call for public money in order to build additional Churches in England and Scotland—a proceeding which of all others was most calculated to increase the unpopularity of the Establishment. Upwards of 1,500,000*l.* had already been expended in the erection of new Churches, and if the House should (yielding to the plans of the right hon. Baronet) consent to make further advances for the same object, it would proceed in violation of the feelings of at least nine-tenths of the population. He objected to the Address, and the Speech to which it was the response, on these two points—namely, the omission of any pledge for a reduction of taxation, and the threatened increased expense of the Church Establishment. With respect to taxation, it was necessary that the whole existing system should be remodelled, and the propriety of doing that should have been recommended in the Speech from the Throne. He had but little hope of lessening the expenditure while the Tories held sway, or until the House of Lords limited themselves to their own affairs, instead of dictating to the nation who should be its Ministers. He condemned as a most unconstitutional and dangerous precedent the assumption of so many important offices of the State by the Duke of Wellington; as well might one of those offices have been conferred upon Lord William Bentinck, who was a year's journey from this country, and he hoped that whenever the time arrived for discussing this subject, his Majesty would be informed that this House held such a proceeding as an invasion of the Constitution, and therefore in future to be avoided. He trusted, that the House would carry up to the Throne a condemnation of these proceedings, and at the same time tell his Majesty that the country must have full and efficient Reforms carried out. He felt that in this respect his object was answered by the success of the Amendment, and therefore he should not press the Amendment which otherwise it was his intention to have submitted to the consideration of the House.

Sir *Eardley Wilmot* hoped, that after the very personal attack which the hon. Member for Middlesex had thought proper to make upon him and other hon. Members who had the other day attended at the house of the noble Lord, the Member for North Lancashire, the House would indulge him for a very few moments. He begged, in the first place, and in the strongest terms that the forms of Parliament would permit, to repel with indignation the language which the hon. Member had applied to him and to others, when he designated them as "wolves in sheep's clothing." The accusation was most unfair and most unjust towards him, as the hon. Member must admit, if he would recollect the votes he had given during the last two Sessions of Parliament. Without one single exception, he had voted with the most liberal side of the House.

Mr. *Hume* begged to state, that he had never mentioned the hon. Member, nor did he know that the hon. Member had been of the party at the house of the noble Lord (Stanley).

Sir *Eardley Wilmot* having been one of those Gentlemen who attended the meeting in question, the observation most certainly applied to him. He again repeated, in answer to the accusation, that his votes, if referred to, would be found to have ever been on the most liberal side. It was perfectly astonishing to him that there should have been anything more of party in his attending the meeting at the House of the noble Lord near him (Lord Stanley) than if he had attended any meeting which might have been held in Cleveland-row. He, in common with the other Gentlemen who were then present, felt that the country was in a most critical position, and he and they attended as independent men, and he would undertake to say, that they left the house of the noble Lord as independent as they went in. When he appeared before his constituents upon the hustings, he had told them that he had no public grounds of confidence in the right hon. Baronet (the Chancellor of the Exchequer), as a Reformer; but he told them also that he saw no grounds for a systematic or factious opposition, that he would hear what measures the right hon. Baronet had to propose; and if those measures should come up to his views of Reform, he would lend the Government his humble support; if otherwise, he should endeavour to remove them from office, and should regard that day as the brightest in the history of the country when that object should be effected. As to his vote of last night, he confessed that he never suffered more than in opposing the Amendment of the noble Lord, the Member for Yorkshire; for, in common with other Gentlemen who had attended the meeting in question, he was dissatisfied with the Speech from the Throne, for not going far enough; but when he saw before him that unholy alliance, as he would call it, which had taken place on the other side of the House; he did think, that if the present Ministry were instantly turned out of office, the country would be placed in that situation of alarm and difficulty as to make it impossible to form an Administration useful or beneficial to the country. With these feelings, he had voted in favour of the original Address. If the right hon. Baronet should bring forward such measures of Reform as the country expected and required, he would give the right hon. Baronet his support; if the Government should fail in answering the expectations of the people, he should be one of the first to stand up against them, and endeavour to eject them from power.

Mr. *Richards* was understood to say, that the characters of the Gentlemen whom the hon. Member for Middlesex had thought proper to attack were, to say the least, as pure, as unsullied, and as patriotic as those of the hon. Member and his associates; and he would add, that when the hon. Member charged those Gentlemen with dishonourable conduct, he stated that which was absolutely false.

Mr. *Hughes Hughes* said, that as the hon. Member for Middlesex had alluded to him, he begged to state to the House that he never was under the roof of the noble Lord the Member for North Lancashire in his life, neither had he ever had communication, oral or written, with that noble Lord on this subject or any other. He understood, that the hon Member for Middlesex had inquired who he (Mr. Hughes) was. He would answer the hon. Member: he was one of the hon. Member's constituents, who most strongly objected to the factious line of conduct which the hon. Member was now pursuing.

Sir *John Campbell* rose to make one observation. The latter part of the Address expressed, as the opinion of the House, that Municipal Corporations ought without delay to be placed under a vigilant popular control. He understood that when the Report of the Commissioners of Corporation inquiry was laid upon the Table his Majesty's present Government would propose a measure to the Legislature to carry into effect that portion of the Address. Unless that were done, he would, with the concurrence of those with whom he had the honour to act, prepare and submit to the House a Bill for that purpose.

Mr. *Emerson Tennent*, though unwilling to obtrude himself in the debate, yet, having been so pointedly and personally attacked by the hon. Member for Middlesex, he was still anxious to avail himself of an opportunity of stating to the House those motives and principles by which he was actuated in supporting the original Address, and in adopting generally the course which he had made up his mind to pursue towards his Majesty's present Ministers. In doing so, he should not intrude upon the House any strictures of his own upon the individual merits of the topics embodied in the Address, and proposed in the Amendment of the noble Lord (Lord Morpeth,) with only one exception, and that solely because he was by his position interested and connected with that question—he referred to the subject of Municipal Corporations. He felt that he could safely omit the others for two reasons; first, because on the majority of them, his sentiments were perfectly in accordance with those expressed on a previous night by the noble Lord beside him (Lord Stanley); and, secondly, because it must be sufficiently evident to the House, that neither their merits nor their defects entered in the slightest degree into the calculations of the Opposition, whose sole and only object but too evidently was, to defeat that Address and its movers, let its merits and its contents be what they might. Whether such a line of conduct was consistent with the dignity and creditable to the character of the House, it was not for him to say; but from the precedents of former periods of their history, and after the late declaration of Sir Robert Peel, he (Mr. Emerson Tennent) was very much inclined to believe that the grounds for the opinion of the hon. Member (Mr. Hume) as to the brief tenure of office by the present Ministry, would prove erroneous, and that this factious opposition, even if carried to the utmost extent —even if attended with apparent success —would still fail of its expected result, and that his Majesty's Ministers, however they might be disposed to yield to the deliberate and reasonable decisions of the Representatives of the people, however they might be disposed to be guided in their continuance in, or abandonment of, office, by a fair and impartial decision on the merits of their policy and their measures, would not be disposed to give way before the capricious and arbitrary assaults of a faction. Now, with regard to the subject to which he had alluded, the reform of the Municipal Corporation system, he must say that he was neither satisfied with the meagre allusion contained in his Majesty's Speech, nor with the almost equally indefinite explanation of the right hon. Baronet, the Member for Tamworth. The right hon. Baronet in his speech on this Address, and in justification of his own conduct, had quoted to the House the Speech from the Throne during the Administration of Earl Grey, at the opening of the Session of 1834; he had referred to the individual passage in which this subject had been alluded to; and expressed his willingness, had he conceived that it would have given satisfaction, to have adopted the very words of Earl Grey. But had that right hon. Baronet so soon forgotten that in the debate on that very Speech, he had himself condemned for its vagueness and obscurity the very passage which he now expressed his readiness to adopt, and the vagueness of which he had, in fact, rather increased than diminished, in the allusions which he had himself made to the same subject? In the debate to which he had referred, on the 4th of February, 1834, the right hon. Baronet made use of the following words:—"So far as the Address avoids pledging of Gentlemen to any particular opinion, I concur in it; but I must say that, experienced as I have been in the framing of King's Speeches, I cannot but admire the great ability which has been shown upon this occasion in contriving that the Speech should say so very little. Not only does it pledge hon. Members to no details of any measure, but it is with difficulty you can gather from it any idea of what the intentions of the Government are on any of the great questions upon which it touches. * * * Nothing is said with respect to Church Reform in England, with respect to Reform of Municipal Corporations, or with respect to the Poor Laws, beyond the bare announcement that the report of certain Commissioners will be laid before us, from which we may derive much useful information. It has been the uniform course when topics of interest like these have been alluded to in the Speech from the Throne, for his Majesty's Ministers to intimate, without going into detail, whether they intend to bring forward any measures respecting them; and I cannot carry my admiration of the practice of avoiding any subject of debate, so far as to approve of the omissions we may here notice." Now, he (Mr. Emerson Tennent) must avow that, however vague and unsatisfactory might be the assurances of Lord Grey, that "the report, when produced, would afford much useful information to the House." He (Mr. Emerson Tennent) could not, for his part, perceive anything much more satisfactory or consoling in the assurance contained in the present Speech, that the vast labours of the Commission would not be quashed, and that what he (Mr. Emerson Tennent) believed to be the custom from time immemorial in such cases would not now be abandoned, that the Report, in the process of time, would be laid upon the Table of the House. But whether the right hon. Baronet had fallen into this error of his predecessors from inadvertence or design—whether his intentions were left accidentally or premeditatedly vague—the circumstance of the omission was at least suspicious, when coupled with the imperfect explanation of the right hon. Baronet, and the previously avowed hostility of some of his present colleagues to that specific measure of Reform; and would make those who, like him, (Mr. Emerson Tennent) were anxious for the completion of that most indispensable Reform, watch with more jealousy and caution the provisions of any measure which might be introduced, and he hoped that such a measure shortly would be, for the remedy of the evils complained of. Now, with regard to the Address, and the course which Gentlemen on the opposite side had taken upon the question. The noble Lord who had with so much eloquence and genuine talent moved the Amendment to the Address, and several Gentlemen who followed on the same side, had in the late debate made an allusion to a period of our history, from which they professed to draw a precedent to justify the present proceedings of their party, but to which in his (Mr. Emerson Tennent's) mind they would have exhibited more prudence and discretion, had they forborne to direct the attention of the House—he meant the period of Mr. Pitt's accession to office at the close of the year 1783, whether we regarded the circumstances of the empire, the position of parties, the policy of Ministers, or the strength and tactics of their opponents, it was impossible to avoid being struck with the great similarity between the events of that period and the present moment. At the head of the Administration of 1783, was a Statesman pledged to Parliamentary Reform, pledged to the shortening of the duration of Parliaments, pledged to measures for the diminution of the expenses and the prevention of the bribery attendant upon elections. And whom had we now? A Ministry pledged to every real and necessary Reform in every existing institution, pledged by their manifestos to the country, pledged by their declarations to their constituents, and, above all, pledged by that Speech from the Throne, which they had advised, and by the declarations of the right hon. Baronet (Sir Robert Peel) on the floor of that House. As to the Opposition of that period and that of the present time, there was but this distinction between them—that, whilst Mr. Fox and the Whigs of 1783 allied themselves with the one extreme in the person of Lord North, and the supporters of the aristocracy, the noble Lord opposite, and the Whigs of the present House, had chosen the other extreme, and formed their coalition with the friends of democracy, and the advocates of Repeal. The colleague and confederate of Mr. Fox was the very man whom he and Mr. Burke had repeatedly declared to be "the object of future impeachment," and whom he had unceasingly denounced as the "great criminal of the State, whose blood must expiate the calamities he had brought upon his country, and whom an indignant nation would one day compel to make some atonement for his offences on the scaffold." Was this, he would ask, a more unnatural alliance, than that of the noble Lord opposite, with the man whom he had himself scarcely twelve months ago counselled his Majesty to denounce from the Throne, almost by name, as "the object of the just indignation of his Sovereign," the promoter of a pernicious agitation, entailing ruin and misery on its deluded instruments? Was it a more unnatural alliance than that of the hon. and learned Member for Dublin, with those whom, in his own fervid and indignant eloquence, he had so often execrated as "the bloody, the brutal, and tyrannical Whigs?" Yet such were the strange bedfellows with whom, like poverty, ambition, and the lust of power, brought them acquainted. The noble Lord (Lord Morpeth,) who had moved the Amendment, had declared in the course of his speech, that in the principles of the Address, which he opposed, he and his party most cordially concurred; and he would, therefore, now ask, from which of the propositions contained in the Speech from the Throne, the Gentlemen on the opposite side dissented upon principle? If he were told in reply, that the professions of intention on the part of his Majesty's Government were amply satisfactory, but that the House had no confidence in them as men, and, consequently, no confidence in the extent and details of their measures —then was his reply simple and obvious, that the House possessed within itself the constitutional power, on the regular introduction of these measures, to accept or to reject them, to curtail or to extend their provisions, as to them might seem fit. Let them, therefore, await the legitimate period for their consideration; let them not rush into the wild absurdity of smothering the principles of their measures, from some vague apprehensions of their probable details. Should the House, however, proceed to such an extremity—should they, in the violence of their hostility, stifle in embryo, or strangle in the birth, every measure of the present Ministry, which more temperate and dispassionate minds might consider safe, or salutary, or expedient—the country and their constituencies would not fail at once to judge of the soundness of the measures, and the policy and prudence of their rejection. Gentlemen on the opposite side might likewise find in the case to which the noble Lord (Lord Morpeth) had alluded, an ample illustration of the principle that whatever constitutional submission the Ministers of the Crown might owe to the just and rational decisions of that House, there was no power of a party, of whatsoever materials it might be composed, proceeding upon factious grounds alone, and even when commanding large majorities in that House, which was sufficient to drive from office an Administration chosen by the Monarch, supported by the Peers, and although not yet enjoying the confidence of the people, at least encouraged by every constitutional manifestation of their sentiments to persevere, and to merit it by their measures. On the very first day of Mr. Pitt's appearance in the House of Commons after his acceptance of office, he had to encounter no less than five hostile motions carried by his opponents, and two divisions, in which he was left in minorities of forty-nine and fifty-four. If the House had not in remembrance the sentiments of his Majesty George 3rd upon that trying occasion, he would beg leave to call it to their recoltion:—" Mr. Pitt cannot but suppose," said his Majesty, in a letter to the Premier, " that I received his communication " of the two divisions in the long debate " which ended this morning, with much " uneasiness, as it shows the House of " Commons much more willing to take into " consideration intemperate resolutions of " desperate men, than I could have imagined. As to myself I am perfectly com- " posed, as I have the self-satisfaction of " feeling I have done my duty. I am ready " to take any step that may be proposed to " oppose this faction, and to struggle to the " last period of my life, but I can never " submit to throw myself into its power. " If they in the end succeed, my line is a " clear one, and to which I have fortitude " to submit." Strong in the confidence of a Monarch such as this, and satisfied that his resignation of office under such compulsion, could only have the tendency of mortifying the private feelings and weakening the prerogative of the King, by forcing back into his Cabinet those from whom he had so lately withdrawn his countenance, Mr. Pitt set on that occasion an example of firmness and perseverance which constituted one of the most singular episodes in the history of that House. Outvoted by a factious majority on motion after motion—his measures rejected—his personal character assailed—his Administration denounced, defeated, on no less than twenty-four occasions during eight weeks, on ten of which he dared not even attempt to divide the House, and exposed to the indignity of four successive addresses to his Majesty, praying for his removal from office, threatened with a rejection of the Mutiny Bill, and threatened, as they now were by the hon. Member for Marylebone, with the suspension of the Supplies—Mr. Pitt still persevered in obeying the commands of his Sovereign, and, conscious of the approbation of the people, he maintained his post till the factious majorities of his opponents dwindled from fifty to one, and till Mr. Fox and his colleagues retired from the contest in despair. He was prepared to be told that the parallel, striking as it might be in some particulars, would not hold good throughout, that Mr. Pitt might with impunity persist in such an opposition to an unreformed House of Commons, with whom the people had in reality little or no feelings in common, and whose opinions and sentiments they did not represent; but that no Minister of the present day dared attempt such a resistance to the declared resolution of a Parliament chosen by the people, and really representing and expressing the sentiments of the nation, Could he be convinced that such was really the character of that House at the present moment he should at once admit the force of the argument, and grant that the Ministry should bow to the decisions of the majority. But when he recollected the admission of Mr. O'Connell last night, that, notwithstanding the provisions of the Reform Bill, there never was in this country an election at which venality and corruption had been carried to so great a height as the last—when he looked to the means by which a vast number of individuals composing that majority had been returned to that House, notwithstanding the provisions of the Reform Bill—he could not for his part concur that its decisions spoke the sense and the wishes of the people. He left out of the question the representatives of England and the North; he confined himself solely to those elections of which he was more immediately cognizant, those of the Members for Ireland, for whom the right hon. Member for Dublin claimed, and justly claimed, the merit of crowning that majority—and he (Mr. Tennent) could not for a moment suppose thatMembers returned to that House bythe dint of intimidation and perjury, and corruption, could be considered as the authorised organs of the sentiments of those whom they were said to represent. He could not conceive it other than a mockery of representation to call those the representatives of the people whose return had been wrung from their constituents by the exertion of every earthly coercion and every spiritual terror, by the prospective terror of threatened torments in another world, and the certainty of existing persecution in this. He (Mr. Tennent) could not for a moment suppose that forty individuals returned to that House, not by the unbiassed suffrages of free electors, but by the irresistible nomination of one individual, that they could be said to represent the feelings and sentiments of the people, and not the sentiments and wishes of the man by whom they were sent there for his own specific purposes. Submission to the decision of majorities secured by means such as these, so far from bespeaking that deferential submission to the opinions of that House, which was due by the Ministers of the Crown to the Representatives of the people, would, in his mind, be little more than a lame surrender of their delegated authority to the caprice and clamours of a faction. Nothing could be further from his intention than in any sentiments which he had expressed, to detract in the slightest degree from the powers of that prerogative of advising and remonstrating, if needs be, with his Majesty on the appointment of his Ministers, which, under the provisions of the Constitution, belonged indisputably to that House; but whilst he felt it to be his duty, not only as a Member of that House, but as one of the people, to protect and defend that prerogative, it was equally essential to the balance of the Constitution to ascertain and to respect its limits. And if that House, by the exertions of any factious influence which it might be empowered to wield, even where it could not justify or defend its exercise; if it were enabled to control the privilege of the Monarch and the prerogative of the Crown by negativing the nomination of its Ministers without waiting for one impartial exposition of their measures,—then he did contend that by that one effort of authority they transferred the executive powers from the Crown to the Commons. They rendered the prerogative of the Monarch at best but a sonorous nullity—and reduced the King to the condition described by Mr. Fox on another occasion, of a mere captive on his Throne, and the first slave in his own dominions. He thought it necessary to be thus explicit in stating the principles on which he acted, in order to explain and to justify the course which he intended upon this, and upon similar occasions, should they present themselves, to adopt towards his Majesty's Ministers. Satisfied that any factious opposition, tending to embarrass or to eject them from office, without an impartial consideration of their measures, would be as unjust as it was unconstitutional, he should willingly lend himself to no such proceedings. Independently of every other motive by which he might be actuated in adopting this Resolution, one consideration alone, even did none other present itself, would be sufficient to influence his decision. He should consider it an act of gross and culpable indiscretion to contribute to the overthrow of this, or any other Administration till he had ample grounds for assurance, that an abler or better one was prepared to replace them. And, he confessed that, for he could not discover in the Cabinet which had been announced by the hon. and learned Member for Dublin, composed of two-thirds of Radicals, and the hon. Member himself, or perhaps the hon. Member for Derbyshire, the elements of such a Government as he should prefer to that which his Majesty had lately called to his assistance. Whilst such were his sentiments in abstaining from opposition he should be influenced by other and equally powerful ones in any support which he might see it his duty to render to his Majesty's Ministers. As a Reformer he never could, and he never would, give his undivided support to any Government which did not enter upon office on the principle, and with the determination to remedy and remove, so far as it was practicable, every existing abuse. A Ministry entering upon office with any other views and intentions than this, neither would nor ought to be permanent, or to receive the confidence and support of the people's Representatives. When he regarded the declarations made by the present Ministers out of doors, and most especially when he looked to the contents of the Speech which had been delivered from the Throne, and the intentions avowed in the speech of the right hon. Baronet (Sir Robert Peel) on this Address, he should be refusing to the right hon. Baronet and his colleagues, as Ministers, that courtesy to which they were entitled as private Gentlemen, did he not admit that he believed them to be sincere in their present professions of Reform. Should their measures be carried out in the same spirit in which they were at present announced, he should, on the introduction of them, give to each a conscientious and cordial support; but should they in their general policy, or their individual actions, exhibit an hostility to that principle, which was the sole ground of any confidence he could extend to them, there was no Member of that House who would give them a more strenuous and determined opposition than he should. He had to thank the House for the patience with which they had heard him, and had only to state in conclusion, that those were his reasons for voting for the original Motion; not so much because he dissented from the sentiments expressed in the Amendment, though he did not concur in them all, as because he disapproved of its ultimate object, and was willing to give his Majesty's Ministers all they now came to solicit a fair and impartial trial.

Mr. *Spring Rice* rested the vote which he had given upon the question of the Address upon the principles upon which he had always acted, and which had been so well explained by his noble Friend (Lord J. Russell). The able manner in which his noble Friend in his speech of the other evening had vindicated the line of conduct which he and those who acted with him thought it their duty to pursue, more than justified the confidence that he had always been disposed to place in his noble Friend. He begged to state, that his noble Friend was not self-elected to the position which he occupied upon that (the Opposition) side of the House. He had been placed there by the approving voice of the whole Whig party. After the pointed and impressive manner in which his noble Friend had contradicted the assertion that had been made, that a difference of opinion existed between him and his noble Friend, and a noble Lord in another place, he should not have felt it necessary to obtrude for a single moment upon the attention of the House, except that rumour had again given currency to a report that, notwithstanding his noble Friend's direct contradiction, a difference of opinion did exist where, in point of fact, difference of opinion there was none. He begged again emphatically to declare, that amongst the Members of the Melbourne Cabinet there was no such difference of opinion as had been stated. And farther, not to deal with general expressions, but with a particular Question, he begged to state, that on the Question of the Irish Church the plan laid down and explained in general terms by his noble Friend met with his entire and perfect approval, as well as that of his noble Friend in the other House. Not only did it meet with his approbation, but he took the liberty of saying, and if the noble Lord the Member for Lancashire were then in his place, he would ask the noble Lord whether the noble Lord did not know that long before he had the honour of being a Member of the late Government, he had expressed his approbation of the very plan explained by the noble Lord, the Member for Devonshire, last night. Nay, more, the noble Lord, the Member for Lancashire, was aware that he was ready to act upon such a plan. Therefore, not only was it false to state that general differences had existed in the Melbourne Cabinet; but it was specially and particularly false in the Question of Irish Church Reform, for on that there was the most perfect and entire concord. He would not detain the House further. He merely wished to avail himself of the first favourable opportunity to give a direct contradiction to the statements which had been put into circulation. Whenever the subject was brought forward in a specific shape, he should be prepared to state in detail what his views and opinions were. He was glad that the right hon. Baronet, the Chancellor of the Exchequer, had come to the determination of not opposing the Report upon the Address. The line of conduct that the right hon. Baronet had determined to adopt upon that subject was exactly what he had expected from him. He thought it did the right hon. Baronet infinite credit, and must be satisfactory to the House. Having discharged what he conceived to be a duty to himself and to his two noble Friends, by setting the House and the public right as to the alledged differences of opinion that had existed between them, he should not trespass further upon the House. After the course that the right hon. Baronet had determined to take, it would be bad taste on the part of the House to prolong the discussion.

Sir *Matthew White Ridley* perfectly agreed with the concluding observation of his right hon. Friend who had just sat down. He should think it very bad taste on his part if, after the long discussion that had taken place, he should enter afresh upon the stage, and attempt to detain the House at any length upon the subject of the Address or the Amendment. But the personal imputation that had been cast upon him by the hon. Member for Middlesex, induced him to claim the indulgence of the House for a few moments, and a few moments only. In the position which he occupied as a public man, he must look to his public character; and he was not afraid to put the consistency of that, or the merits of his private character, in competition with either the public or private character of the hon. Member for Middlesex, who, in his peculiar manner, had thought proper to attack him personally. The hon. Member quoted from some newspaper an account of a meeting which was stated to have taken place at the house of the noble Lord the Member for Lancashire. The very first part of that account, which described Lord Arthur Lennox as being present at the meeting, was false and unfounded, for Lord Arthur Lennox was at that moment in Scotland. As far as it related to himself, he was ready to state, that he did attend the meeting held at the house of his noble Friend, the Member for Lancashire; and he was proud to say further, that he fully acquiesced in the opinions his noble Friend entertained upon all general subjects of Reform; and he would tell the hon. Member for Middlesex, although he (Sir M.W. Ridley), and his noble Friend, and those who thought with him, were not prepared to vote that black was white—although they were not prepared to say one thing one day, and to vote another the next—although they did not attempt to gain a temporary popularity by truckling to popular passion, they were prepared to go on as honestly and as conscientiously in the Reform, not only of alleged abuses, but of everything that was found to operate prejudicially to the institutions of the country, as the hon. Member himself. He should not be afraid of sinking in the scale of popular opinion by contrasting the line of conduct which he and his friends should pursue with the line of conduct that might be adopted by the hon. Member for Middlesex. The hon. Member stated, that, many years ago, when his right hon. Friend, the Member for Cumberland, acted with the hon. Member, in preparing lists of the House of Commons he always thought that he was not a stanch Whig; and that, at the present moment, he did not know what to call him. He would relieve the hon. Member from his difficulty—he would tell him what he was. From the first moment that he had been introduced to public life, he had continued to be a sincere and constitutional Whig, and as sincere a Reformer as the hon. Member for Middlesex, or any other Member of the House. But he was not one of those who would blindly follow the hon. Member for Middlesex when he saw that hon. Member lending himself to everything that was unbecoming the character of an independent Representative. He had not become one of the tail of the hon. Member for Middlesex. Although the hon. Member might seek popularity by calling down the animadversions of the House against those whom he had been pleased to denominate the tail of the noble Lord, the Member for Lancashire, he, for one, should look upon such conduct (he did not wish to use the word offensively) with the contempt it deserved. He felt satisfied that no other Member of the House, in discussing a great constitutional question, would have descended to such petty and unworthy personalities as had figured in the speech of the hon. Member for Middlesex. As to the general Question of the Address, he would simply observe that his object in the course he had pursued, was not to give a vote which might tend immediately to turn out the right hon. Baronet and his colleagues from the Government. That being the case, he thought it more consistent with his duty, and more consistent with his principles, to give a direct and decided vote upon the question than to seek to shelter himself under the pretext, that although the right hon. Baronet might be left in a minority, he would not retire from the situation that he held; in pursuing that course he had consulted no personal feeling, no personal interest; he had adopted it simply because he thought it the most straightforward and the most manly; and having adopted it, he was not afraid to leave his constituents or the people of England generally, to form their own conclusions as to his conduct, or the motives which had influenced him. He understood, that another report had been circulated that he (Sir M. W. Ridley) had somewhere or other communicated to some one, that the right hon. Baronet the Chancellor of the Exchequer did not intend to take the sense of the House upon the present occasion; and farther, that he had communicated to the Government, that in case of a division he should not oppose them, because he thought the opposition was factious. In answer to that report, he begged to state, in reference to the last part of it, that he had had no communication whatever with the Government; and in reference to the first part of it, he could only say, that all the intercourse he had had with any one upon the subject was with a friend whom he met in the street that day, and who asked him what turn he supposed the debate would take. In reply to that question, he stated that he did not know, but that as far as he was concerned, if the right hon. Baronet should think fit to take the sense of the House, he thought he would be acting a very unwise and unworthy part, for that the opinion of the House having been fairly expressed the night before, he considered it the duty of the right hon. Baronet to yield to that vote; and if the right hon. Baronet took a different course, he should certainly vote against him.

Mr. *Feargus O'Connor* agreed with the recommendation already given, that it would be better to refrain from any observations on the Address or Amendment, since those questions had been already so fully discussed. He begged to congratulate the right hon. Baronet, (Sir Robert Peel) on the support he had received from the noble Member for Lancashire, and the right hon. Baronet, the Member for Cumberland. He, and several other Irish Members, had been accused of giving themselves up and binding themselves to the opinions of the hon. and learned Member for Dublin. There was nothing to justify such an assertion—there was nothing in the speech of the hon. and learned Member for Dublin to show so strong an ambition in him as there was in that of the noble Lord (Lord Stanley) who declared himself the head of the Army of Observation on the other side of the House. He begged to assure the hon. Member for Belfast, that he completely mistook the nature and motives of the opposition formed against the Administration, and if the hon. Member doubted of his independence, he would remind him, that he represented one twenty-fourth part of the population of the United Empire; that he solicited no proposer, no seconder, no voter; that his election did not cost him one farthing, and that even if the Reform Bill had not passed he should have a majority of 2,000. He remembered the time when the hon. Member for Belfast considered the American Republic as the model of good Governments. The hon. Member, therefore, ought to be the last person to accuse the Irish Members of political inconsistency. The hon. Baronet (the Member for Cumberland) had accused the Irish Members of factious opposition, but the right hon. Baronet was not guilty of that, for he said he had some confidence in the right hon. Gentleman at the head of the Government, but none in the Gentlemen by whom he was surrounded. That was a poor compliment, for the right hon. Baronet was responsible for every person that held office under him. The Opposition on that side of the House was called factious and anomalous, but was it a bit more anomalous than the coalition formed on the opposite side? He considered that the assistance given by the noble Lord (Lord Stanley) to the present Administration was ruinous to the Ministry. The noble Lord spoke against it out of doors, and gave it a doubtful support within. For his own part, give him a manly and avowed foe rather than a disguised friend.

> Of all the plagues offended Heaven can send,
> Save me, oh save me, from a wily friend.

He had often said in his place in Parliament, that he wished the Government of Earl Grey removed, and he still adhered to that opinion, for he expected after what happened to that Cabinet, that something more in accordance with the feelings of the age would be infused into the Administration that would succeed. He had hoped that when the late Government was broken up, they should have one which, taking notice of the faults of the preceding Administration, would at last consent to satisfy the wants of the people. What sort of Government had they now? One that uniformly displayed their hostility against the Reform Bill, and considered any triumph they might gain as a party, and not a national one. What was the first act of this new Administration? To compliment the perpetrators, and by doing so to sanction the perpetration, of a sort of judicial murder of their Irish fellow-countrymen. With respect to the dissolution of the late Parliament, on the head of the right hon. Baronet who advised it must rest all the responsibility. Though the Irish Members had been so much vilified, he hoped they talked in that House with as little party feeling as English Members, and that they would not allow any excitement to lead them away on the present or any other discussion. The Session had commenced with abuse hurled against the hon. and learned Member for Dublin, and repeated charges were brought against him. The noble Lord who moved the Address, recommended him and the other Irish Members to reserve their speeches for taverns and beer-shops. But suppose he should be asked, why he supported the Whigs, what would his answer be? Why, that he supported them because he regarded them as the right sort of Conservatives. The Whigs acted upon something like fair principles, and that was the reason he had given the Amendment of the noble Lord, the Member for Yorkshire, his humble, but zealous support. Now, with respect to the Question relative to the Irish Church, he should maintain the same principles on which he had always acted, and from which he had never swerved. The right hon. Baronet opposite might, notwithstanding what had passed, labour under the delusion that he could maintain his ground; but he would tell the right hon. Gentleman, that it would be utterly impossible for him, or any other man, to hold the situation which he filled without redressing the wrongs of Ireland, and doing justice to that neglected country. The people of Ireland were fully bent upon compelling the Government to remove the grievances under which they laboured; and in this determination they would persevere in spite of the efforts that were made by the Tories to drive them to the commission of some act of disturbance, which would furnish a pretext for denying them that which was their right. These efforts, however, were as foolish as they were futile. He was glad to see that there was a growing disposition on the part of both the people of England and Scotland to do Ireland justice—but he was fully convinced, that if the present men remained in office, the good feeling to which he alluded would speedily be defeated. The Whigs, he was bound to admit had done much for Ireland; and if they had remained in power, no doubt his country would have had to thank them for still further advantages. Honourable Gentlemen on the other side of the House had designated him, and other of the Irish Members, as the mere slaves of his hon. and learned friend the Member for Dublin. He most indignantly repelled that charge, and asserted, that he never acted otherwise than as an independent Member of that House. He certainly entertained a very high respect and esteem for his hon. and learned friend, but to be a slave to him, or any other man he would never submit. Slave, indeed! Why, had he not differed from his hon. and learned friend upon no less than five important subjects? He opposed him with respect to time on the Question of the Repeal of the Union, and he voted against him on the Corn-laws, the Coercion Bill, the Tithe Bill, and on the subject of Poor-laws. He must complain of the conduct of the right hon. Baronet opposite in having refused to give any information to a noble Lord on his side of the House respecting the course he meant to pursue on the bringing up of the Report; but it now appeared that the right hon. Baronet had not been quite so uncommunicative when questioned on the subject by other persons, for it was evident that he had stated the line of conduct he meant to pursue that evening to the hon. Baronet who spoke last. [The *Chancellor of the Exchequer:* No, no, you are mistaken.] He rejoiced to hear it, because it went to show that the right hon. Baronet had persevered in being consistent. He begged, however, to tell the right hon. Baronet, that it was just as impossible for him to suppose that he could govern England and Ireland upon his avowed principles, as that he could turn the sun from its course. The present was a war of industry and intelligence against deception and ignorance; but if the right hon. Baronet would take his advice he would relinquish the helm while it was yet in his power to exclaim with the old Roman, "The gods look down on me with pleasure, because I have retired from office with my integrity preserved."

Sir *Henry Hardinge* had attended the

House for the last four nights for the purpose of answering any attack that might be made against the Government of Ireland, but the hon. Member for the county of Cork was the first person who had offered him an opportunity of addressing the House. That hon. Member had alluded to the unfortunate and melancholy attack by the military upon the peasantry at Rathcormac, and he insinuated that the present Government of Ireland were the authors of that much-to-be deplored and most disastrous proceeding; but he could assure the House that the hon. Member's charge was destitute of foundation, the present Irish Government having had nothing whatever to do with the transaction. On the 4th of November application was made to the late Government of Ireland for military aid to assist in enforcing the collection of certain tithes, payment of which had been refused to the owners, and it was not till the fourth he believed of the following month of December that the Government completed their arrangements for empowering the military to act in levying of those tithes. Every circumstance, therefore, connected with the employment of the military in the affair at Rathcormac, was to be attributed not to the present but to the late Government of Ireland; but although he had felt it his duty to say this, he begged, at the same time, that it might be perfectly understood that he had no intention whatever of throwing blame on the late Government for the course they had taken to maintain and enforce the law, to obtain for the tithe owner that which was indisputably his right and due. When, however, the hon. Member for the county of Cork accused the present Irish Government as the parties who were responsible for this distressing transaction, he conceived that it was only fair on his part to state to the House how the matter stood, and that the whole of the arrangements were made, not by the present Irish Government, but by their predecessors. The hon. Member had said, that neither his hon. and learned Friend the Member for Dublin nor himself were liable to be charged with inconsistency for the support which they gave to the Whigs. Now he (Sir Henry Hardinge) had not the least objection that the hon. Member and his hon. and learned Friend the Member for Dublin should coalesce with the Whigs, whom they had so recently abused, and designated as the "worst enemies Ireland ever had," but, for his part, he thought such conduct altogether irreconcileable. What happened only a few weeks before the hon. and learned Member for Dublin left Ireland? Why, in a speech he made in Dublin he declared that his hostility against the Whigs had ceased. They were, he said, then poor, and he should not revile them; on the contrary it was his intention to give them his best support, but still he did not mean to depart from his intention of carrying the question of the Repeal of the Union; aye, even though he took office with the Whigs, he would not be content until he saw a Parliament sitting in College Green. As long as he lived, the hon. and learned Member for Dublin added, he would advocate a Repeal of the Union, and this, he said, even though he was then ready to take office with the Whigs; but, in taking office, however, he would not leave himself open to be charged with vanity or ambition, for the motive which alone could induce him to accept place was his wish by such means to further the object which he had and ever should keep in view, namely the Repeal of the Union. Under such circumstances, how was it possible that the right hon. Member for Cambridge (Mr. Spring Rice), sitting in the same Cabinet with the hon. and learned Member for Dublin could consent to discuss with him the question of a Repeal of the Union—when the one declared that Repeal was the only panacea for the evils of Ireland, and the other asserted that the effect of a Repeal would be to dismember the empire? He asked how it was possible for two men so pledged, but without, of course, knowing anything of the co-partnership that might be established between them, afterwards to coalesce? The right hon. Member for Cambridge was as steadfast an opponent of Repeal as the hon. and learned Member for Dublin was a firm advocate for it, and yet the hon. and learned Member for Dublin was willing to take office under a Whig Government. He stated, that his friends added to the Whig party, the Radicals being of course included in the calculation, formed about two-thirds of that House, and that, with such strength and under such circumstances, if the Whigs came again into power they would be able to carry any measure they pleased, even the Repeal of the Union, the effecting of which he avowed to be the great object of his life. He should not have risen if it had not been to contradict the statement of the hon. Member for the county of Cork; but before he sat down, he begged to say that as far as the Government with which he was connected was concerned he was at any moment prepared to show that the employment of troops had not only been justifiable on all occasions, but that so far from interfering with the freedom of election the presence of the military had in many instances been the means of preventing the sacrifice of human life. Nay, more, he would defy either the hon. Member for the county of Cork, or any other Irish Member to point out a single instance in which the troops, when called out to assist the local authorities, had misconducted themselves.

Mr. *Finn* was so averse from his Majesty's present Ministers that he should feel it his duty to give them his most strenuous opposition. In doing that he was not leagued with a faction, but with the whole people of Ireland who were determined not to be satisfied with the manner in which that country had been governed, or rather misgoverned for ages. They complained, and with great justice, of the hardship of persons being compelled to support a religion they did not profess, and neither the people of England nor of Scotland would endure having money taken out of their pockets, *nolens volens*, to support the Catholic religion? The thing was monstrous, but this was not the only hardship imposed on the people of Ireland; for, in addition to having their money wrung from them to support an overgrown Church Establishment, they were excluded almost from the rights of citizenship, being debarred from many civil privileges, in the advantages of which they were legally entitled to participate. He could not support a Government which held out no hope to the country of an efficient Church Reform, and if he now acted with the Whigs he had very good reason for it, because the Whigs had done much for Ireland, the fruits of the misgovernment of which country England was now reaping.

Mr. *William Williams* said, that there was one part of the King's Speech upon which he felt himself called upon to make some observations. The statement to which he alluded was that which referred to the satisfactory state of the trade and commerce of the country. He wished he could bear testimony to the accuracy and truth of the assertion; but he was connected with a district where an extensive branch of manufactures was carried on. In Coventry, and its neighbourhood, a great number of his constituents were engaged in trade, and their business was far from being in a satisfactory state. On the contrary, they were at present, and had been for a considerable time past, suffering under very great depression and distress. He had had numerous opportunities of seeing the distress in Coventry, which was so vast, that he could not have believed such distress had existed had he not witnessed it with his own eyes. This pressure did not proceed from a want of demand for the manufacture, but from the system of what was called free trade; and the competition consequently arising from the introduction of foreign goods into this country. Amongst the manufacturers of Coventry, there was as much wealth, industry and ingenuity as amongst any class of his Majesty's subjects; one entire branch of the manufactures of this country was almost exclusively carried on there, and he considered that that branch ought to have a just degree of protection afforded it from the legislature. The right hon. Member had a memorial lately presented to him from the Corporation of Coventry, and he trusted that the Government would give it their most attentive consideration. He would not, on the present occasion, enter into further details, as a notice upon the subject had been already given by the hon. Member for Warwick county, and when that Motion should come before the House, he trusted it would receive the attention it deserved. He wished merely to say that he was totally unconnected with any party; that he was returned to that House by a very numerous constituency; and that if his Majesty's Ministers had made propositions which were in accordance with the wants and wishes of his constituents, he would have supported them; but they had proposed such measures as he, as a Reformer, could not call measures of Reform, they being far short of the expectations of the country. He supported the Amendment, because it promised more Reforms than the original Address.

Mr. *G. F. Young* said he felt it necessary to make a few observations, as he was one of those Members who voted for the Address, and against whom so unjust an attack had been made by the hon. Member for Middlesex for the course they had felt it their duty to pursue. He was the more surprised at this attack, because he had on two occasions put the hon. Member for Middlesex in nomination at the hustings—but from all he had heard and seen since, he was prepared to say that he was more honoured by the hon. Member's censure than by any compliment he could receive at his hands. He rose indignantly to repel the inference which the hon. Member for Middlesex thought fit to draw as to the motives which had actuated the vote which he had given; but he had seen quite enough of that hon. Gentleman to disregard anything he might say or do. He must, however, admit that, entertaining the political sentiments he did, he could not place confidence in the present Ministers of the Crown, neither did he consider the Address otherwise than as unsatisfactory, and had the matter been brought forward as a substantive question the probability was that he should have voted against the Address and in favour of the Amendment. Looking, however, at the result of the adoption of the Amendment, and not agreeing that it would be prudent prematurely and instantaneously to drive the present Administration out of power, he had no other course to pursue but that which he had taken, for he was not left to a mere hypothesis as to the result of carrying the Amendment; but he had from the hon. Member for Derby an avowal of what the composition of the succeeding Government was to be. That avowal had operated strongly to deter him from doing anything that could lead to the dismissal of the present Administration, for, however highly he respected the hon. Member for London and the hon. Member for Bridport as individuals, and however he might approve of their opinions, he still felt that they had no pretensions that could justify their receiving office, and, therefore, as an honest man, wishing only to act rightly, he was constrained to vote against the Amendment. Measures were advocated by some of those who opposed the present Government which, if carried into effect, would be destructive of our well-poised Constitution, and most injurious to the interests of the country. The agricultural interests would be destroyed by the abolition of the Corn-laws, the interests of trade and commerce would be injured by the speculative theories of political economy, and funded property would be tampered with by what was called an equitable adjustment, which would give but little satisfaction to the holders of that property, however agreeable it might be to the hon. Member for Oldham. He could not concur in the course about to be pursued by the present Ministry. He could not say that the course was unconstitutional or unparliamentary, but it was improper, unfair, and unjustifiable. His voting for the Address would, he felt satisfied, expose him to much obloquy; but this he would endeavour with patience to endure, and would follow the example of a right hon. Gentleman upon whom much calumny had been heaped, and who had waited the proper time and place where he might justifiably vindicate himself, which he did fully and satisfactorily. So he also would wait until the proper time should arrive, trusting that his conduct in the interval would fully prove that he had never swerved from the principles which, from his earliest days, he had ever advocated, which he cherished as a man, and by which his future life should be ever regulated.

Colonel *Evans* said, he had not given his vote from any motive of factious opposition, but supported the Amendment from a conscientious conviction of its necessity.

Mr. *W. Roche* said, that the mischievous consequences of the Tithe system in Ireland were now coming home to England, who was suffering in a number of particulars from her oppression of Ireland. Mr. O'Connell's offer to suspend the Repeal agitation provided the same measure of Reform as that enjoyed by England was extended to Ireland was a fair one. He voted for the Amendment because he did not think any confidence could be placed in men who upon all occasions, which hitherto had offered, proved themselves to be the inveterate enemies of Reform.

Mr. *Herbert Curteis* considered the attacks made upon his hon. Friend (Mr. Hume) as most unjustifiable. No Member of that House had done so much for the country as his hon. Friend. He would venture to say, that the country would never have had the benefit of any of those reductions of expenditure effected by the Tory Governments, had it not been for the unremitting assiduity of his hon. Friend in forcing upon the attention of

Parliament the abuses of our finance system. He wished to know from the right hon. Baronet, the Secretary for Ireland, whether the public prints had correctly reported the fact that the thanks of the Government were conveyed to the officers and men engaged in the affair of Rathcormac.

Sir *Henry Hardinge* did not think the question of the hon. Gentleman quite fair, seeing that a notice of Motion stood upon the Order-book for the production of the letter referred to by the hon. Gentleman. If the hon. Gentleman had reflected, or had had more experience in that House, he would not, under the circumstances, have put such a question.

Mr. *Herbert Curteis* was not so young in that House as to stand in need of the lessons of the right hon. Baronet. A vote of thanks to men who had sacrificed the lives of their fellow-men before the proper tribunal had pronounced upon the character of the act, was premature and improper. By such conduct the Government departed from that line of neutrality which they were bound to observe. If the men fired without the order of the civil power, they were guilty of murder. The dismissal of the late Government was, in his opinion, most uncourteous and improper. That dismissal would not advance the purpose of the right hon. Baronet. The House, however, had been told, that if they dared to do their duty, they would again be sent to their constituents. He had no hesitation in saying, that if the Ministers should take such a step under the present circumstances, they would merit the fate of the Polignac ministry, and that he would not drop one tear of pity for their sufferings. He placed no confidence in the Government, and he saw no reason if measures of Reform were to be brought forward, why the country should not receive them from the hands of those men to whom it was indebted for the Reform Bill.

Mr. *Thomas Attwood* said, he had that day received a letter of remonstrance from his constituents against that part of the Speech from the Throne which represented trade as in a flourishing condition. This his constituents treated as a mockery of their sufferings. Excepting in Lancashire, and there not among the mass of the people, he knew of no part of England where capital produced a return, or the working classes were not in a state of great depression. When agriculture was suffering, how could trade or commerce flourish? With a debt of 800,000,000*l.*, and wheat at 4*s.* 6*d.* a bushel, the great interests of the country could not but be in a state of depression. He, therefore, begged to enter his humble protest against that part of the Royal Speech which falsely—he had almost said wickedly—represented the trade and commerce of the country to be in a satisfactory state. Neither could he concur in the opinion, coming from the same source, that there was much to boast of in the foreign relations of this country. Russia had been allowed to trample under foot the treaty of Vienna; and she had, also, trampled upon the interests of England with regard to Turkey. As a Representative of the people of England, he, for one, was not disposed to pocket such an insult upon the national honour. For his part, he did not think the honour of England was safe in the keeping of the present Ministers.

The Report of the Address, as amended, was agreed to.

Education in the Colonies.] Mr. *Fowell Buxton* wished to put a question of considerable importance to the hon. Gentleman, the Under-Secretary for the Colonies. He wished to know what steps had been taken, or were likely to be taken, for providing for the education of the negroes in the Colonies?

Mr. *William Gladstone* said, that it was not very easy to reply to the question in a few words. All he could say was, that since the present Government had entered office, the attention of the noble Lord at the head of the Colonial Department had been most anxiously directed to the subject. A very short time before he received the Seals of office, circular letters had been sent to all the West-India Colonies, demanding from all the religious bodies and Ecclesiastical authorities engaged in promoting education and religious worship there, very full information as to the extent of means existing. Of course, before the Government could be enabled to decide upon the amount of instruction required, they must be in possession of the fullest information as to the amount at present existing. The returns were now arriving daily. One or two Colonies had already sent them; but it was impossible to adopt any definitive measure until the whole had arrived: by that time, he hoped, the noble Lord at the head of the Colonial Department would be enabled to make up his mind upon the subject. With regard to the expenses, he trusted a large portion of the deficiency would be supplied from private sources, and by the exertions of religious bodies. For the remainder, they must apply to Parliament, if necessary; believing that the pledge Parliament had given to assist in the religious education of the West India apprentices was just as distinct and binding, even though it was not as determined, as their pledge to pay twenty millions of money.

Mr. *Fowell Buxton* had another question which he was desirous to take this opportunity of asking. It was highly important that persons should be appointed as special Magistrates who had no connection or interest in common with the West-India body. He wished to know, whether the persons who had been appointed in Jamaica, were individuals of this description, or whether, in fact, any of the ordinary Magistrates of the Colony had been appointed.

Mr. *Gladstone* was unable to say that such persons had not been appointed as special Magistrates in any case. Thus much, however, he could say, that no person interested in the West-India Colonies had been appointed as a special Magistrate in the Island of Jamaica. It was impossible to give any absolute pledge upon the subject, because the Governor of the Colony retained, under the Act, the power of doing anything which was necessary, in his judgment, for the preservation of its peace and tranquillity. It was important that the hon. Gentleman and the House should be aware that the Governor of Jamaica had refused his assent to an Act making the appointment of these Magistrates absolutely necessary and a matter of course, and that his conduct met with the fullest approbation of the Government and of the Colony. Nothing was further from the wish of the English Government—nothing was further from the wish of the Colonial Government—nothing could be more improper than that that appointment should be deemed a matter of necessity in every case.

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HOUSE OF LORDS,

Monday, March 2, 1834.

MINUTES.] Petitions presented. By the Earl of ROSSLYN, from Inhabitants of Dundee, for an Increase of Places of Public Worship.—By the Earl of SHAFTESBURY, from Stirling, in favour of the Established Church of Scotland.

PARLIAMENTARY RETURNS.] The Duke of *Richmond* presented a petition from the clerk of the peace for the county of Sussex, complaining, and as he thought very justly, of the expenses which were sometimes occasioned by making returns to this and the other House of Parliament. He wished to call the particular attention of his noble Friend the Lord Privy Seal, whom he saw in his place, to this subject. The expense of certain returns which the clerk of the peace had been compelled to make, amounted to above 70*l.*, and when that sum was charged in the items of the accounts of the clerk of the peace, the Magistrates at Sessions had decided that they had nothing to do with the matter, so as to be able to burthen the county-rates with the expense thereby incurred; and they had therefore refused to allow that item in the accounts. He thought that the Magistrates were right in their decision. At the same time, he was of opinion that it was very hard, and indeed unjust, to throw the expense of these returns on the clerk of the peace. He did not like to say, that the expense ought to be thrown on the persons who moved for the returns, for many of them might be of great public importance; but as the benefit was to the public, he thought that the public ought to pay for them. He moved, that the petition should be laid on the Table, and he hoped that some means would be adopted to prevent this expense from falling in future on the county-rates.

VOTE BY PROXY—OATHS.] The Marquess of *Westminster* said, that he had a few observations to make upon some subjects of importance. It was in their Lordships' recollection, that at the end of the last Session of Parliament he had given notice of his intention to introduce a Bill on the subject of voting by Proxy. It was his intention to have done so; but under the peculiar, the extraordinary, and unexpected circumstances in which they were now placed, he thought he should have a better chance of success if he deferred bringing forward this Motion on the present occasion. There was another question, too, that of the relief to the Jews, in which he felt a warm interest. It had been his wish to bring that question forward in this Session; but the same circumstances which he had before referred to would induce him to postpone it. However, he wished to add, that he was quite in their hands, and that if they desired it, he should at once be ready to submit the question to the consideration of Parliament. He would do exactly as the Jews themselves thought best. Another question was as to pluralities and non-residence, and another as to corrupt voting at elections. With respect to this last, he must say, that he believed that there would be no means of cutting that up but by the Ballot. That subject had been much discussed in the other House of Parliament, and some strong opinions had been expressed upon it. He thought that he should introduce this subject to their Lordships' notice; but in whatever he did he should shape his course according to the fate of the Motion in the other House of Parliament. There was one question more to which he wished to refer. On this question he addressed their Lordships, in the belief that they were all, as he believed all had declared themselves to be, the enemies of all recognized abuses—that was the question of putting an end to unnecessary Oaths. He fully agreed with the noble Duke who had employed himself in preparing a measure on this subject; but he advised that noble Duke to consider the way in which the Committee he had appointed had been framed, and he recommended the noble Duke to withdraw from that Committee the names of the bishops whom he had put upon it; for, in his estimation, it was better that the Bishops, like the clergy in general, should be relieved from the political cares that were now cast upon them. The more they were withdrawn from politics, the better would they be able to discharge their important spiritual duties.

The Duke of *Richmond* had taken upon himself the responsibility of having named six Bishops on the Committee, which, on his Motion, had been appointed to consider the subject of Oaths. He had named the same Committee last Session; and those who had attended that Committee knew how much assistance had been derived from the presence of the right reverend Prelates. The noble Marquess appeared to fear that the number of Bishops on the Committee was too great—there were six Bishops, and twenty-four lay Peers. The noble Marquess said, that the Bishops and the clergy should attend to the religious duties of the country. He thought so too, and that was the very reason why, in preparing to bring in this Bill upon Oaths, the frequency of which, in his opinion, diminished their solemnity, he had, conceiving it a question closely connected with the religion of the country, proposed some of the right reverend Prelates as Members of the Committee. He should not now discuss with the noble Marquess the general question whether Bishops were to have seats in that House, but this he would say, that if by being called a Reformer was meant a willingness to turn the Bishops out of that House, he was not one of those who could agree to that proposition. They had often been of great service to their Lordships, and in no case was there a stronger example of it than in this. The noble Marquess had requested him to withdraw the names of the Bishops from the Committee. With all respect for the noble Marquess, he must decline doing so.

Conversation dropped.

HOUSE OF COMMONS,

Monday, March 2, 1835.

His Majesty's Reply to the Address.] The *Speaker* announced to the House that having on Saturday, attended by several hon. Members, waited upon the King with the Address, agreed upon by the House, his Majesty had made the following gracious reply.

"I thank you sincerely for the assurances which you have given me, in this loyal and dutiful Address, of your disposition to co-operate with me in the improvement, with a view to their maintenance, of our institutions in Church and State.

"I learn with regret that you do not concur with me as to the policy of the appeal which I have recently made to the sense of my people.

"I never have exercised, and I never will exercise, any of the prerogatives which I hold, except for the single purpose of promoting the great end for which they are intrusted to me—the public good; and I confidently trust that no measure conducive to the general interests will be endangered or interrupted in its progress, by the opportunity which I have afforded to my faithful and loyal subjects of expressing their opinions through the free choice of their Representatives in Parliament."

The *Chancellor of the Exchequer* moved that the thanks of the House be returned to his Majesty for this, his most gracious reply.

Mr. *Hume* thought that the reply, which the right hon. Baronet characterized as most gracious, scarcely called for any specific vote of thanks. The Address to his Majesty, which he, in common with a majority of the House had agreed to, contained specific mention of Reforms in the Church and Corporations, which that majority desired to have effected, but which his Majesty in his gracious reply did not even notice. The reply, in fact, was no reply at all, and the only plea on which the vote of thanks could be carried, would be that it was a matter of custom. It would be, however, most desirable that, on the other hand, a custom should be established, that in the speeches and replies from the Throne, there should be something to the purpose.

The *Chancellor of the Exchequer* said that a vote of thanks on these occasions was a form established by uniform custom, and he was very far from seeing that there was anything in his Majesty's reply which should induce the House to depart from the usual course.

Mr. *Hume* agreed that there was nothing in the reply which called for observation; what he complained of was omission. He was not, however, going to disturb the unanimity of the House upon this occasion; he had merely risen to express his individual opinion on the subject.

The vote of thanks was agreed to.

New Houses of Parliament.] The *Chancellor of the Exchequer* moved, that that part of his Majesty's Speech which related to the destruction of the Houses of Parliament should be read.

The Clerk having accordingly read those passages,

The *Chancellor of the Exchequer* said, he was sure that there would be on the part of that House a unanimous disposition to recognise the propriety of the steps taken by his Majesty on the occasion of the lamentable casualty referred to. Immediately after the occurrence of that event, his Majesty had adopted measures for the temporary accommodation of both Houses of Parliament, reserving it entirely for both Houses of Parliament afterwards to point out to him what course would be most likely to suit their convenience, and that of the public, and without interfering in the slightest degree with any arrangement which Parliament might subsequently see fit to make on the subject. He rose for the purpose of proposing that a Committee should be appointed to take into consideration the best means of remedying the mischief which had been done. He had drawn up a list of Gentlemen for the approval of the House, and in doing so he had confined his selection to a limited number, from the persuasion that such was the most likely means of promoting the object in view speedily and efficiently. His selection had been made in perfect fairness, and comprised Gentlemen who, from their habits of business and position in the House, would be most likely to give satisfaction. He trusted that the House would sanction his selection, and having done so, that motions would not, day after day, be made for additions to the Committee, a practice which had much inconvenience. He wished, also, to observe that his Majesty's late Government, with a view to new Houses of Parliament, having called in the advice of a Government architect, that Gentleman had drawn out a plan, which had met with the full approbation of his Majesty's present advisers, and this plan would be submitted to the proposed Committee. Should the Committee think fit to disapprove of the plan, nothing had passed with the architect which rendered it incumbent on the Government to adopt the plan in question, which he trusted, however, would be found worthy of mature consideration.

Mr. *Hume* wished to know whether it would be competent in the Committee to determine upon the site of the House, or whether this point was to be left to the House itself? Of the Committee which had been appointed on the subject last Session more than half were disposed to change the site.

The *Chancellor of the Exchequer* said that the reference to the Committee proceeded on the assumption that they were to consider of the best means of providing new Houses on the present site; and his own impression was, that this plan would best suit the convenience both of the Parliament, and of the public. The House of Lords also was about to appoint a Committee, and, no doubt, that Committee would be in communication with the Committee of the Commons.

The Committee was appointed.

Supply. The Dissolution of Parliament.] The Order of the Day was read for the House to resolve itself into a Committee of Supply. On the question that the Speaker should leave the Chair,

Lord *John Russell* said, I rise in consequence of the notice which I gave a few days ago, that I should put a question to the right hon. Baronet on the rumours now, respecting a dissolution of Parliament. I hope, Sir, I hope I shall not be obliged to ask the question; but it is necessary for me to make some observations on the state of affairs, particularly as regards this House, before we go into a Committee of Supply. The House has shown by two votes that it is not disposed to adopt the propositions made by his Majesty's Ministers. In an Amendment to the Address to the Throne, it has called for measures of a more decided character than the advisers of the Crown thought fit to suggest in the Royal Speech, and it has declared that the only step yet taken by Ministers, namely, the dissolution of the late Parliament, was unnecessary and impolitic. As far, therefore, as the opinion of the House conveys a censure, it has fixed that censure upon that act of the present Ministers. I believe that no Ministers ever before stood in so extraordinary a situation, and I thought it right, two votes having passed against them, to call the attention of the House, before we go into a Committee of Supply, to the rumours that have prevailed, and to ask the right hon. Baronet if he had given any authority for these rumours? The rumours to which I advert imply that Ministers having advised his Majesty to appeal to the sense of his people, would not be content with that sense so expressed; but since the result had been adverse to their views and measures, they were resolved again to appeal to the sense of the people, and to endeavour to wear out and vex the country by repeated dissolutions. There have been rumours even of a more extraordinary nature, namely, that should Ministers think it adviseable to recommend his Majesty to dissolve this Parliament before the Mutiny Act shall have been passed, they would consider themselves authorized to maintain a standing army in time of peace, contrary to the known constitution of the country, and without the consent of Parliament. I admit, as the right hon. Baronet seems to indicate, that it is a very absurd rumour, and though it may have entered into the head of some sanguine projector, it is hardly to be imagined that any reasonable Minister would advise such a course. But whatever apprehensions I might have felt on the ground of these rumours, they have been in a great degree dispelled by the tenor of his Majesty's answer to the Address of this House. Although his Majesty regrets that this House did not concur with him in the fitness of the late dissolution, yet he adds that he "confidently trusts that no measure, conducive to the general interests, will be endangered or interrupted in its progress" by that event. Now, I cannot believe that Ministers would have advised the King to give that answer if they had in contemplation a second dissolution, by which the progress of all measures of Reform conducive to the public interests would immediately, and of necessity, be delayed and endangered. Therefore, I will not ask the right hon. Baronet the direct question I had proposed to put to him; but unless I hear some contradiction from him, I shall conclude from the answer his Majesty was advised to give, that it is not the intention of Ministers to interrupt the course of the House, either in respect of the measures it may think necessary to adopt for the Reform of abuses, or in respect of the advice which, as the great council of the nation, it may feel called upon from time to time, to offer to his Majesty. With respect to the general question of Supply, I will not now enter into it, since the motion that will be submitted to the Committee is one more of form than otherwise; but I do think that we should not go far with the concession of Supplies, or commit ourselves incautiously by placing the public money in the hands of Ministers, before we have an explanation from them, after the adoption of the late Amendment of the course it is their intention to pursue. I must say that I do not agree with my hon. Friend, the Member for Middlesex, that it would have been fit and proper for Ministers to have advised the King to state, in his Answer to the Address, the nature of the proceeding contemplated with regard to Corporation and other Reforms: but I do think it will be necessary for Ministers very soon to inform the House what course they mean to pursue, more especially as certain conversations are said to have passed in other parts of his Majesty's ancient palace of Westminster, which very much tend to increase the doubts I for one, entertain, whether the persons holding the highest offices of the State have really any sincere intention of proposing a Reform which would give the people that power and control over Municipal Corporations which they anciently enjoyed, and which ought now indisputably to be restored. My hon. and learned Friend, the Member for Edinburgh (Sir J. Campbell), has given notice, that if it be not the intention of Ministers to bring forward some effective measure, he will propose a Bill to the House, founded upon the Report of the Commissioners. I repeat his statement for the purpose of making all the Members aware whether Ministers do or do not bring in a Bill, that the House will have an opportunity of deciding whether the majority of its Members are bent upon that necessary reform of Corporations, to which the terms of the Amendment refer, and to which the wishes of the people are directed. In regard to another topic—the Irish Church—the right hon. Baronet stated, on the first night of the late debate, in answer to a question put to him, that it was his intention to lay the Report of the Commissioners upon the Table, but that we were not to expect any measure to be founded upon it by the present Government. No such measure being, therefore, to be expected, and having heard from the best authority, I mean from one of the Commissioners, that the first Report is soon to be expected, I beg to state that it is my intention, before the close of the month, to direct the consideration of the House deliberately to the whole subject of the Irish Church. I shall then take an opportunity of explaining the general course those who formed the late Cabinet were disposed to pursue, and the general principles upon which they intended to act. Before the close of the evening, I shall enter a notice to this effect on the books. I have stated what will be our course upon these two important questions, in order that the right hon. Baronet, either to-night, or at some future opportunity, may answer the call which I think the House will, and must make upon him, by stating the course Ministers mean to adopt under these new and extraordinary circumstances.

The *Chancellor of the Exchequer* said, Sir, it is always my wish to give the House as unreserved an explanation of the course which I mean to pursue as a public man, as is consistent with my duty as a Minister of the Crown, and I do not require the additional time which the noble Lord offers me for the purpose of being enabled to answer the questions which he has put to me. In answer to the first, I inform him that, I have not felt it my duty, in consequence of the vote of the other night, to tender my resignation to the King, and that I do intend to persevere in the course which I consider it my duty equally to the King and to the public to pursue, and, notwithstanding that vote, to submit to the consideration of the House those measures on which his Majesty's Government have formed their opinion, and which they are prepared to introduce without delay. I am aware, certainly, that the House of Commons did, by a small majority, in an exceedingly full House—by a majority of 309 against 302, not pass a censure upon the Government, but did by a majority of seven, imply a difference of opinion with that Government as to the necessity of the late dissolution of Parliament, and did imply an apprehension, which I think was unfounded, that measures which would be conducive to the general interests of the country would be interrupted and retarded by the appeal which his Majesty had thus made to the sense of his people. But I do not believe, that the majority which came to that vote did mean to imply an opinion that it was tantamount to a vote for the removal of his Majesty's Ministers. There are many who concurred in that vote, who will nevertheless admit that I should not be acting consistently with my duty if I considered it significant of an opinion that I ought to retire from the post to which his Majesty has called me. Some hon. Members who voted for that Amendment, and who spoke in the course of the Debate, explicitly declared that such was not their construction of the vote. With respect to the Irish Church (for I shall take the several questions put by the noble Lord in the order which will make my answers the most intelligible, though not possibly in the order in which they were presented to me), I beg to say, that

I intend to present to the House the Report which may be made by the Commissioners of public instruction appointed by the late Government. When I came into office, I ascertained that the Commissioners had applied themselves sedulously to the duties that had devolved upon them, that they had completed their inquiries in nearly one-half of the parishes in Ireland, and that they were proceeding to make them in the remainder. Under these circumstances, his Majesty's Ministers did not think it their duty, the Commission having been appointed by the Crown, to interrupt its progress. On the contrary, without committing myself to the adoption of the Commission, or of the principle of the measures which it may propose, I may say, with truth, that we have given every facility, for carrying on the investigation. The noble Lord has said, that I have declared that I will not found any measure upon the report of that Commission. The noble Lord has misunderstood my meaning. What I said was this, that I still remain of opinion, that Ecclesiastical property ought not to be diverted from strictly Ecclesiastical purposes. That is the principle which I have always maintained, which I still maintain, and upon which I am still disposed to act; but I do not preclude myself by that declaration from adopting any measures suggested by that Commission, if I approve of them, and should they not be inconsistent with that declaration. On the subject of the Corporation Commission, I do not know exactly to what conversations in other places the noble Lord alludes. I speak for myself, and of the course I mean to pursue. When the report of the Corporation Commissioners shall be presented (and I conclude that it will be presented in the course of a very short time, as we were led to expect it would have been presented at the conclusion of the last month, February)—I mean, when we are thus, put in possession of the principles which it contains,and the evidence which it brings forward in support of those principles, I mean, to give the evidence and the suggestions contained in that report the fullest and fairest consideration. I assure the noble Lord, that I have no lurking prejudice in favour of the abuses of Corporations. I cannot conceive what possible cause, particularly after the passing of the noble Lord's Bill, there can be either of a political or personal nature, to give me any assignable interest in the defence of corporate abuses, or in the opposition to measures intended to remedy abuses where they are proved to exist, and to take effectual security against their recurrence. But I think that it would be inconsistent with my duty as a Minister of the Crown, after reviewing the Report of the Committee of 1833, of which you, Sir, were Chairman, which states, that many remedies were suggested that would be fitting for small Corporations, and would not be fitting for large ones—that the most popular Corporations were not practically the most pure, that there were many points upon which further information was required, and with regard to which the Committee themselves were not able at the time to give an opinion—I think, I repeat, that looking at that report, it would be inconsistent with my duty as a Minister of the Crown, to pronounce an opinion or to enter into engagements on this subject at present. Surely the most natural and the most becoming course for me to pursue, is to propose, or promise nothing until I have had an opportunity of seeing the report of the Commissioners—of weighing the evidence, and of examining the nature of the suggestions which it contains. I have the honour of presiding over a Corporation; I will venture to declare that if the result of this Commission should be to prove the existence of any abuses, they will give their unanimous assent to any improvement that may be calculated to remedy them. I say, then, on behalf of the Corporation over which I have the honour to preside as high Steward, and with regard to all other Corporations I am as free as the noble Lord can be, free in respect to public engagements, free in respect to interested motives, personal or political, to give an unprejudiced consideration to any measure intended either to correct actual defects, or to conciliate towards them, more of public opinion and confidence. I am determined, however, to see the nature and extent of the abuse, and the nature and extent of the remedy, before I commit myself upon the subject. As to the last question, the first indeed in point of importance, though not of order—that with which we were threatened on a former day, but from which the noble Lord has himself receded—it seems to me very possible that in the interval the noble Lord has referred to a question put to Lord Grey in another place, on a similar subject, in the month of April, 1831. There were at that time general rumours of an intention to dissolve Parliament, and not without foundation, for the question was put on the 21st of April, and on the 22nd of April, the two Houses were dismissed. I find the matter thus reported. "Lord Wharncliffe said, as an allusion has been made by the noble Lord (Farnham) to certain reports that are in circulation on the subject of a dissolution of Parliament, I wish to ask his Majesty's Ministers whether there is any truth in the statement, that they have advised his Majesty to dissolve Parliament, and that it has been resolved to adopt that course? I ask this question, because, if I should receive an answer in the affirmative, it is my intention to adopt some measure in relation to the subject, and, I can assure the noble Earl opposite, very speedily. Earl Grey replied:—"I believe the noble Lord's question will be admitted to be one of a very unusual nature, and I can hardly bring myself to believe that when he put it the noble Lord expected an answer. But whatever the noble Lord's expectation may have been, I have only to say, I must decline answering the question." Now, if any rebuke, (continued the Chancellor of the Exchequer,) ought to be administered to the noble Lord, for having thought of putting such a question, or for extracting an answer to it, if put, it will, I am sure, be more palatable to the noble Lord to receive that rebuke from Lord Grey, than from myself. But I will be more explicit than Lord Grey. The noble Lord asks me whether I have countenanced the rumours that are prevalent? I tell him at once that by no act, and by no expression of mine, have I directly or indirectly sanctioned such rumours. I will tell the noble Lord, also, with equal fairness, that I never have discussed with any body the case hypothetically, in which another dissolution might be necessary or justifiable. I should think it disrespectful to the House of Commons if Ministers were to discuss such a contingency, and most unbecoming to hold out any menace to the House as to the possible consequence of any course of proceeding it might think fit to adopt. Therefore, in answer to that question of the noble Lord, I tell him at once that I am not responsible for the rumours, having neither originated nor sanctioned them. The other rumour by which the noble Lord has been disturbed, relates to the supposed intention of Government to govern by a standing army in case the House of Commons should refuse to pass the Mutiny Bill. This alarming report is, I trust, of very recent origin; for I can declare with perfect truth, that the first time I ever heard the whisper of it was from the lips of the noble Lord, and that like many other reports, which give uneasiness to weak and credulous persons, it is utterly without foundation. As to that other question with which the noble Lord threatened me the other day, but which he did not put on this occasion, though I came down fully expecting that it was the main object of his inquiries,—namely, whether or not I would pledge myself that the prerogative of the Crown in reference to a dissolution of Parliament, should not be exercised under any possible contingency, I will not take advantage of the noble Lord's forbearance and reserve, but will give him my answer though he has withheld his question. I have already stated that I never, directly or indirectly, sanctioned the rumours that have prevailed on the subject of future dissolution, and that by no act or expression of mine was any warrant given to them. I stated further, that it would be most unbecoming in me to fetter the discussions of the House of Commons by any, the slightest menace, of contingent dissolution, but I must, at the same time, say, Sir, that it would be equally unbecoming in me, as a Minister of the Crown, to consent to place in abeyance any prerogative, of the Crown or to debar myself by previous pledges from giving to the Crown, as a Privy Councillor and a responsible adviser, that advice, which future exigences of the public service might require me to give. I have thus endeavoured to give an answer to the various interrogatives put to me by the noble Lord, and I think I may venture to anticipate that my answers have quieted some of his alarms, and on the whole have been satisfactory.

Lord *John Russell:* The right hon. Baronet has misunderstood me as to one point, when I stated the prevalence of certain rumours. I did not say that it was the intention of any Minister to govern by a standing army; what I meant was, that there existed a rumour that some persons thought they could justify keeping up the army without the Mutiny Bill—that there was a power inherent in the prerogatives of the Crown to maintain a standing army, and consequently that Parliament might be dissolved either this night or a fortnight hence. That was the whole extent of the rumour. I certainly must fairly admit that all I can expect of the right hon. Baronet is, that he should say that he has not given countenance to such rumours, and that he had not favoured any such threat. I cannot expect from him, and he will allow that I did not ask from him, any general declaration or pledge upon the subject.

The *Chancellor of the Exchequer :* In order to remove every doubt or apprehension, I can only declare in the most unequivocal manner, that I never heard the subject of the prerogative of the Crown to continue the standing army without the Mutiny Bill discussed till to-night.

Lord *Ebrington :* I wish to put a question to the right hon. Baronet on the subject of the Commissioners of Education in Ireland. Is it the intention of the present Government to make any change in the principles of that system of education, or will they be allowed to continue the same as under the Government of Lord Grey?

Sir *H. Hardinge :* In reply to the noble Lord, I have to inform him and the House, that there is no intention on the part of Government to alter the system of education in Ireland as settled by the late Administration. With regard to the amount of the estimate for the present year, I may mention that I believe it will be larger than last year. There has been some increased expenditure, and, speaking from memory, I apprehend that a larger sum will be required for the present year.

Mr. *Spring Rice :* I beg to call the attention of the right hon. Baronet to the Committee on the military expenses of the Colonies appointed last Session, and to ask him whether it is intended to revive it? If so, the sooner its labours are recommenced the better, as we shall the sooner be in possession of the requisite information, and the sooner able to proceed effectually.

The *Chancellor of the Exchequer :* I entirely concur with the right hon. Gentleman as to the propriety of re-appointing the Committee; and I hope, as he has excused himself from serving on the Committee for rebuilding the Houses of Parliament, that it will be an additional reason with him for giving his valuable assistance to the Committee on the military expenses of the Colonies.

Mr. *Hume:* I wish to ask the right hon. Baronet whether I understood him distinctly to say, in answer to the question of the noble Lord, that though on two occasions this House has declared its decided opinion against the measures of Ministers, he means to persevere in retaining his situation in opposition to the opinions of the general mass of the community? If I thought, that the majority in the House did not represent the majority out of it, the case would be different; but as I think, that the majority in the House does represent a very large majority out of it, I beg to know whether it is to be understood, that the present Ministers will continue to hold the reins of Government, although they will be unable to carry any measure without severe conflict? I ask this, because, after the recent appeal to the people, they have a right to expect steady Government, on which dependance can be placed as to the measures to be introduced, and as to the probability of carrying those measures. Are we to understand, that notwithstanding the decisions against him, it is the right hon. Baronet's intention to persevere, doubting that the opinion already expressed is the opinion of the majority? He must see, that the people of England have no means of expressing their sentiments, or of stating those sentiments to his Majesty, but through their Representatives; and what I want to know is, whether their opinions are to be set at defiance? If they are to be set at nought, it is impossible to say what unpleasant consequences it may not lead to. It may bring about a collision of a most disastrous kind. Governing against the wish of them ajority of the House is without precedent. Mr. Pitt, indeed, had a considerable majority against him and persevered, but then the people were evidently with him. That, give me leave to say, is not the case now. No doubt there are hon. Members on the other side, who are under a delusion upon this point; but as regards my constituents, I will venture, without the least hesitation, to say that three out of four are opposed to the present Ministers. I thank the right hon. Baronet for his frankness: it was what I expected of him, and I am pleased to find, that he has taken that course, as I trust that in the same spirit he will reply to the two questions I now beg leave to put to him—whether he considers the opinion of the House against him to be that of the majority of the people? or whether he waits until some farther opportunity has been afforded for ascertaining the general sense of the nation?

The *Chancellor of the Exchequer:* When I answered the question put to me by the noble Lord, I stated simply a fact—that in consequence of the vote of the other night, I had not considered it my duty to tender my resignation; and I do assure the hon. Member for Middlesex, that in my situation I find it quite sufficient to dispose of practical questions for discussion and decision, without attempting to meet the hypothetical points and uncertain contingencies in respect to which he asks for an answer. I have not resigned; and I mean to proceed in the execution of my duty, by submitting to the consideration of Parliament the measures contemplated in the Speech from the Throne; but as to the course I shall pursue, or the course the House is likely to pursue, those are matters which must be determined by future events in respect to which I consider it utterly inconsistent with my duty to pronounce an opinion.

Mr. *Hume:* I certainly cannot have made myself understood, because the right hon. Baronet speaks of some hypothetical case. I submitted no hypothetical case; I spoke of a matter of fact—that the majority in the House was against him, and that the majority out of doors was equally opposed to his measures. That is a fact. I am quite aware, that he would fain think otherwise; it is just upon the balance with him, whether he shall live or die—"the flickering flame dispenses fitful light," and we shall soon see it sink into the socket and expire with no very grateful odour. He may not like to look forward to his measures for tomorrow, but we, on the part of the people, have a right to know what is to be expected from him and his colleagues. The Motion for the Committee of Supply is a matter of form which must be gone through, and it would be improper to throw any impediment in the way of it; but the people are not to be told, that a certain body of men enjoy the confidence of the country, when it is known that they retain their places in defiance of public opinion. It is impossible, that they can thus carry on the Government with advantage to the people; and it will be for the Representatives of the people to consider whether, when next they are called upon for Supplies, they will place any sum of the public money whatever at the disposal of such Ministers. All collision—all that challenges the prerogatives of the Crown—is extremely dangerous, and ought never to be provoked, but if Ministers will not submit to a majority of the House of Commons, I should be glad to know whose fault it will be? It is quite true, that the decided opinion of this House, twice expressed, has been set at defiance. I know what the feeling is out of doors upon the subject, and I do not put a hypothetical question, but assert a matter of fact.

The *Chancellor of the Exchequer*—I appeal to the House whether I have shown unwillingness to answer any question possible for me to reply to. The House did come to a vote the other night implying a different opinion on the necessity of a dissolution of Parliament; the majority was 309 to 302; and looking at that vote, I say again that I have not felt it my duty to abandon the post in which I have been placed, and that I shall proceed to submit to Parliament the measures mentioned in the King's Speech. If the hon. Member thinks, that Supplies should be refused to his Majesty, or that it is fit to obstruct the course of measures without reference to their merits, it is perfectly open for him to adopt that singular method of promoting the general welfare. It would, however, be quite absurd for me, by a preliminary engagement, to promise the House that I will pursue a certain course in certain contingencies, and on the occurrence of certain hypothetical cases.

Mr. *Hume:* I am sorry to trouble the House again; but still I do not think that the right hon. Baronet and I understand each other. What I want to know is, whether he considers the determination of the House on the Address a vote of confidence, or of no confidence? He may decline to answer it; but we shall then draw our own conclusions from his silence.

The *Chancellor of the Exchequer:* It would be quite absurd if I said I thought it a vote of confidence. At the same time, I repeat again, that I did not consider it a vote that implied even the opinion of the majority—a decided opinion of the majority—that it was my duty to retire.

Mr. *Ewart:* I beg to ask the right hon. Baronet this question. Did he consider that the vote we came to the other night was not a vote of censure on the dissolution of the late Parliament?

The *Chancellor of the Exchequer*: It may be my business to construe the Address, but I leave it to those who were parties to the Amendment to construe that.

Mr. *Barclay* said, it had been asserted that the majority out of doors agreed in opinion with the Gentlemen who had carried the Amendment. Representing, as he had the honour to do, a large constituency, in a county closely connected with the metropolis, he could not subscribe to the assertion. He believed that the opinions of the people out of doors on the subject of the Ministry were nearly balanced, as were the opinions which prevailed within doors. He must say, that during the whole of his canvass, he had never heard any great lamentation over the loss of the late Administration. In his opinion, the feeling at present prevalent in the country was either Conservative or Destructive. He was convinced, that if the experiment were boldly and fairly tried—if the hon. Member for Middlesex would move a Resolution condemnatory of the present, or in praise of the late Administration—if the hon. Gentleman ventured to come boldly and openly to the test, he would soon find that neither the majority in nor out of the House was in favour of his views.

Major *Beauclerk* said, that though he had no confidence in the present Government, because he did not believe that they would go far enough in the way of Reform to satisfy the people, yet he would give Ministers so much Supply as would enable them to go on till they had an opportunity of bringing forward their measures. He thought the country did not care for Whig or Tory, that people thought it little or no matter what was the name of the Administration, but looked rather to the measures that might be adopted. For his own part he had made up his mind that Ministers would not bring forward such measures as the country called for—if they would, they should have his support; but he repeated, that he believed Ministers could not make up their minds to propose such measures. If the present Ministry did not bring forward satisfactory measures, he was prepared to support a Ministry which would. He should only vote for a certain Supply, that Ministers might have the means of bringing before the House their measures; but if those measures were not satisfactory, he should feel it his duty to stop the Supplies.

Mr. *O'Connell* wished to have what had fallen from the right hon. Baronet (Sir Robert Peel) on one point distinctly understood,—he alluded to the right hon. Baronet's statement with respect to the Temporalities of the Irish Church. He (Mr. O'Connell) had not a doubt as to the right hon. Baronet's meaning which appeared to him sufficiently explicit; but in order to remove all doubt from the minds of others, and to render the matter unequivocal, he now called the right hon. Baronet's attention to the subject. He understood the right hon. Baronet to say, that the Temporalities of the Irish Church should be applied exclusively to Ecclesiastical purposes; and by "Ecclesiastical purposes" he understood the right hon. Gentleman to mean purposes limited to the Protestant Established Church, and not connected with any other form of religion. Was he right in his interpretation of the right hon. Baronet's meaning?

The *Chancellor of the Exchequer* replied, that it was his intention to convey the meaning which the hon. and learned Member for Dublin had assigned to his words. By "Ecclesiastical purposes" he certainly meant purposes connected with the doctrines of the Established Church. He took this opportunity of reminding the House, that in a very short time the Report of the Commission of instruction would be presented, and that the measure proposed by Government for the adjustment of the Tithe question must soon be brought forward; and he put it to the House whether, with the information now before it, discussions on the Church Temporalities, with the amount of which they were not acquainted, must not be considered premature. He adhered, however, to his principle, that the revenues of the Church ought to be confined to purposes connected with the Establishment.

Mr. *O'Connell* said, that he had construed the right hon. Gentleman's declaration precisely as it was now explained; he never had any doubt on the subject; but he wished that what appeared to him to be clear and unequivocal should be equally so to others. He did not wish to excite any discussion.

Mr. *Henry Bulwer* asked, whether

education was included in the "Ecclesiastical purposes" to which the Church Temporalities might be applied?

The *Chancellor of the Exchequer* said, it was his wish to afford every information in his power; but, considering the immense importance of the questions referred to, and the imperfect information before the House, he felt it to be his imperative duty to deprecate premature discussion; and, therefore, he could not go further at present than he had already done in his previous explanations and answers.

CHAIRMAN OF COMMITTEES.] The *Chancellor of the Exchequer* rose to make a Motion before the House went into a Committee of Supply, for which possibly some Gentlemen might not be prepared, and which others might attribute to motives that had not the slightest foundation. It was now his intention to propose, which he did with the greatest willingness and satisfaction, that Mr. Bernal be called on to resume his place as Chairman of the Committee of Ways and Means. But in making this proposition, he must protest against a misconstruction of his motives, principally because it would diminish the compliment which he meant to pay the hon. Member for Rochester. What might have been the fate of another proposition he would not stop to inquire; but this he could say with truth, that he never contemplated any other arrangement with respect to the Chairmanship of Committees than that which he now proposed. He had witnessed with great satisfaction the impartiality, attention, and ability with which the hon. Member's duties had been discharged. There were many individuals present who knew that he (Sir Robert Peel) never contemplated any other appointment than that which he now proposed. He should merely add, that if the proposition were met by an unanimous vote of the House in favour of it, they would be only paying the hon. Gentleman a compliment to which he was justly entitled, and they would add to its value by the mode of conferring it.

Lord *John Russell* was glad, that the right hon. Baronet had made this Motion, which he felt great pleasure in seconding. He only rose for the purpose of bearing his testimony to the great merits of Mr. Bernal, who he was sure would discharge his duties in future as he had always done heretofore, with strict impartiality, and so efficiently as to deserve the continued and unanimous approbation of the House.

The House went into Committee, and Mr. Bernal took the Chair amidst much cheering.

The *Chairman* having read that part of the King's Speech which related to the estimates and was addressed to the House of Commons, put the question, "that a Supply be granted to his Majesty."

Motion agreed to, and the House resumed.

RATHCORMAC AFFAIR.] Mr. *Henry Grattan* said, that he had given notice of a Motion for the appointment of a Committee to inquire into the proceedings which took place at Rathcormac, in Ireland, on the 18th of December last; and also for a copy of a letter signed Fitzroy Somerset, dated Horse Guards, 22nd of February, and addressed to Sir Hussey Vivian; but as it was not his wish to excite a debate on the affairs of Ireland, situated as the House and the Government at present were, and still less to give rise to a discussion on the late lamentable occurrence at Rathcormac, which he gave his Majesty's Ministers credit for sincerely lamenting, he should, therefore, not persist in his Motion for a Committee to inquire into that unhappy affair. If, indeed, he were to follow up his original intention, it might prejudice the parties who were implicated, and who now awaited their trial for the part they took in those proceedings. He did not, however, conceive that the right hon. Baronet, the Secretary for Ireland would object to the production of a copy of the letter which was addressed by the Horse Guards to the military that were employed on that occasion, especially as the letter had, in fact, been already made public. Under this impression, he would not, at this time, enter further into the subject; but begged to move that a copy of such letter be laid before the House. He objected to the terms of that letter which praised the conduct of the military, and in this peculiar case might become prejudicial on the trial of the parties concerned in the affair. He thought that the phrases "satisfaction," and "unqualified approbation" might as well have been omitted in the letter.

Sir *Henry Hardinge* was glad, that the hon. Member for Meath had consented to withdraw his Motion for a Committee, which in the present state of proceedings must have been inconvenient, to say the least of it. On the subject of the second part of the hon. Member's Motion which referred to the letter written by order of Lord Hill, the hon. Member was under an erroneous impression as to the intention of the Commander in Chief in issuing that order. Lord Hill merely intended to express his satisfaction, that the troops had obeyed the directions of the Magistracy when called on so to do; but the letter did not contain any expression of satisfaction that the military had been so employed, nor did it enter into the merits of the case. All it said respecting the melancholy affair in question was simply this—"You (the military) have been required to obey the Magistrates, and you have been employed by them; the Magistrates have expressed their satisfaction at your conduct on the occasion through the Lord Lieutenant, and you are entitled to thanks for obeying the civil power." The letter was addressed to the troops, and was never intended to be made public; how it got into the newspapers he (Sir Henry Hardinge) could not tell. He trusted, that the hon. Gentleman would be satisfied with this explanation. He could show the hon. Member that precisely the same thing had been done in the case of Bristol, Carlisle, &c., where, without reference to the result of verdicts, it was always the practice (when the troops had acted under the civil power in consequence of an application from the Magistrates) to convey to the military such an intimation as this—"You have acted under the Magistrates' orders, and they have expressed themselves satisfied with your conduct." That was the whole amount of the approbation bestowed in the present case. If the hon. Gentleman should think fit, after this explanation, to persist in his Motion, he (Sir Henry Hardinge) felt no great objection to it, but he really thought, under all the circumstances, it might be better if the hon. Gentleman would do Lord Hill the justice not to call for the letter.

Mr. *O'Connell* said, it was because he thought there ought not to be any discussion on this subject at present that he hoped the letter would be laid on the Table, and nothing more said about it. The right hon. Gentleman's explanation was perfectly clear,—let individuals have the benefit of it without any reply, for the same reason as had induced the hon. Member for Meath to decline pressing his first Motion. He repeated, let the right hon. Gentleman's explanation have its full weight till it was replied to.

Sir *John Byng* wished to say one word in justice to Lord Hill. That noble Lord never intended to express any opinion as to the conduct of the Magistrates in employing the troops at Rathcormac. But those troops having conducted themselves with the greatest activity, steadiness, and forbearance, and to the perfect satisfaction of the Magistrates, the noble Lord wished to convey the expression of that satisfaction to the troops, to whom nothing could possibly be more acceptable.

Mr. *Littleton* said, that having very recently belonged to the Government more immediately connected with Ireland, he was anxious to advert for one moment to an observation which had been made both in the House and out of it—namely, that the late Government were responsible for the unfortunate proceedings that had occurred at Rathcormac. He begged to state, that neither the late nor the present Government could be considered responsible for those proceedings. Application was made to the Government in the ordinary course for the assistance of the troops. That application was supported by the usual affidavits making out a strong case, on the part of those applying, of the apprehension of danger in the event of assistance not being afforded. These were received by him, and submitted to the Lord Lieutenant of Ireland, who, according to the uniform practice in such cases, referred the matter to the local Magistracy, who were best qualified to say, how far it was requisite that any extraordinary protection should be afforded to the parties. It having been deemed necessary to afford them the protection required, the usual order was issued to the officer commanding the troops in that particular district to put himself in communication with the officers of police; and they, again, were directed to communicate with the Magistrates, and the parties making the application. The only persons, therefore, who could be considered responsible for the lamentable events that followed, were those under whose orders the military fired. Whether their conduct was proper or not, was a question which this House ought not, in the present state of the case at least, to inquire into. But those who took his view of the unhappy occurrences resulting from the employment of troops for the recovery of tithes in Ireland, would hold those persons responsible who refused to pass a measure last Session, in the other House of Parliament, which would have prevented the necessity of having recourse to the troops for any such purpose.

The Motion was agreed to.

HOUSE OF LORDS,

Tuesday, March 3, 1835.

MINUTES.] Petitions presented. By the Duke of BUCCLEUGH, from Langholme and Applegarth, Dumfries, and from Smallholm, Roxburghshire,—for additional Accommodation for Members of the Church of Scotland.

NEW HOUSES OF PARLIAMENT.] The Duke of *Wellington* said, that not having been in the House yesterday, he could not lay upon the Table the Report of the Committee of the Privy Council on the subject of the cause of the fire which had destroyed the two Houses of Parliament. He now begged leave to lay the Report before their Lordships. In the communication which his Majesty had made to both Houses, his Majesty stated that as soon as the misfortune occurred he had directed arrangements to be made for the temporary accommodation of the Members of both Houses, and that it would be the care of the Lords and Commons themselves to consider what would be the best means of providing for their own permanent accommodation, as that question could be best settled by themselves. The mode in which this matter was to be taken into consideration was by the appointment of Committees of the two Houses. It became his duty therefore, in obedience to the commands of his Majesty, to move "that a Select Committee be appointed to take into consideration, and to report on, the best means of carrying into effect his Majesty's most gracious wishes, with reference to the rebuilding of the two Houses of Parliament." There must, of course, be a communication between the Committee of their Lordships, and that appointed by the other House, and the Measure finally agreed on, would require to be adopted by both Houses of Parliament.

Lord *Brougham* had no doubt that it was intended that the temporary accommodation for their Lordships should be as complete as possible; but he could not avoid noticing the very bad air which they were breathing. The air from the stoves was exceedingly unwholesome. The smell was like that which was experienced in a place newly painted. If this really were the cause, it was not only disagreeable, but positively unwholesome.

The Earl of *Rosslyn* believed the House was at present heated by steam. He could not imagine how the unpleasant smell could be occasioned.

Committee appointed.

POOR LAWS (IRELAND).—PROVISION FOR THE CATHOLIC CLERGY.] The Marquess of *Westminster* inquired whether it was the intention of the noble Duke to propose any Measure to Parliament with reference to the introduction of a system of poor laws into Ireland? He also wished to know whether the noble Duke meant to propose any provision for the support of the Roman Catholic Clergy of Ireland; and, if so, from what fund such provision was to be taken?

The Duke of *Wellington* said, that a Commission was at present employed in making inquiries with reference to the propriety and feasibility of introducing into Ireland a system of Laws for the relief of the poor in that portion of the Empire. Until that Commission made its Report, of course Government could do nothing on the subject. With respect to the second Question of the noble Marquess, he was not aware that it was intended to make any provision for the Roman Catholic Clergy, and therefore no Question could arise as to the fund out of which such a provision was to come.

HOUSE OF COMMONS,

Tuesday, March 3, 1834.

MINUTES.] Petitions presented. By Mr. HODGES, from Tonbridge and Mereworth, for the Repeal of the Malt Tax.—By Sir J. BECKET, from Licensed Victuallers of Leeds, against the Licensing Act of last Session.

ILLEGAL IMPORTATION OF CORN.] Mr. *Poulett Thomson* rose, in consequence of seeing the noble Marquess, the Member for Buckinghamshire, (the Marquess of Chandos) in his place, to give him an opportunity of correcting an erroneous statement which had gone abroad through the medium of a speech made by that noble Marquess to his constituents. A printed letter had been published by a Mr. Plaistow, addressed to an hon. Friend of his own, the Member for Norfolk. In that letter the following sentence occurred:—"We find it publicly stated by the Marquess of Chandos, and it remains uncontradicted by any Member of the late Administration, that for some time past the Government has connived at the introduction of foreign corn, duty free, through the Channel Islands, in such quantities as to produce a depression in agricultural produce, and the present stagnation of prices." When that statement was brought under his notice by his hon. Friend the Member for Norfolk, he told his hon. Friend at once that he was convinced that the report of what the noble Marquess had said could not be accurate, for he was perfectly satisfied that the noble Marquess would not have made such a statement had he not believed it to be true, and he was equally satisfied that if the noble Marquess had believed it to be true, he would have felt it to be his bounden duty to have instantly called down upon the Government guilty of such practices the severest reprobation of the country—a penalty such conduct would have richly merited. He had since had the pleasure of hearing from the noble Marquess, that the statement attributed by the report to him was not the statement which he had made; but, as Mr. Plaistow had thought proper to say that the statement had not been contradicted by any Member of the late Administration, he thought it due to the noble Marquess, the late Administration, and also to himself, who had had the honour of presiding at the head of the Department particularly implicated, to obtain, if not a contradiction, at least an explanation from the noble Marquess, and to give the most positive denial to all rumours of the kind, which he knew had been circulated anonymously to a very considerable extent. He was likewise extremely anxious that the right hon. Gentleman (Mr. Alexander Baring), who now filled the situation which he had held under the late Administration should be present at this discussion; for if he had been correctly informed, that right hon. Gentleman on Friday last, when he was not in his place, had completely acquitted the late Government, as far as his information went, of any want of zeal or activity in endeavouring to put a stop to such proceedings. He was the more satisfied with that declaration of the right hon. Gentleman, as he knew that something which that right hon. Gentleman had said unintentionally and unconsciously on the hustings in Essex, had led to the belief that the change in the Government would cause greater care and attention to be paid to this particular point. Now, whatever might be the effect of the change in the political arrangements of the Government, he thought the right hon. Gentleman would admit that, as far as attention could be paid to the prevention of fraud in the admission of foreign corn into our ports duty free, that attention had been paid to the fullest extent by the late Government. He well knew that rumours of this kind had been most industriously circulated; but for the very reason that he held opinions hostile to the policy of the present Corn Laws, he was anxious that they should have their full effect, and that they should not be infringed in any way whatever. At the proper time he would move for certain papers, which he believed there would be no objection to grant, and which would show that due attention had been paid to this subject, and that Government was ready to propose effective measures to check the fraud, as soon as Parliament assembled. He had made these observations in order to give the noble Marquess an opportunity of repudiating the statement which had been attributed to him.

The Marquess of *Chandos* whose attention had been directed to the subject, had no hesitation in stating that the report to which the right hon. Gentleman alluded did not contain a correct version of what he had said. At the end of last year his attention had been called to the quantity of corn that had been introduced, duty free, into the country from the Channel Islands, and the Isle of Man; and at a meeting of his constituents he had read a letter, in which it was stated that a number of vessels had been sent from Dantzic, freighted with corn, to the Channel Islands. He had no information on the subject except that contained in the letter. He then stated, that if the case were such as that information led him to suppose it was, such importations must have a considerable effect upon the corn-market at home. He did not, however, impute to the late Government any connivance at these illegal importations.

Mr. *Baring* felt it necessary to rise in consequence of the allusion which the right hon. Gentleman opposite had made to certain observations which the right hon. Gentleman supposed had fallen from him upon the hustings in Essex. He rather thought that he recollected the occasion to which the right hon. Gentleman alluded. In the course of his canvass in the market at Braintree, where the election for the division of Essex which he represented was held, an elector had said to him, "The worst thing that I have heard about you is, that you are the President of the Board of Free Trade. Now, if you hold that office, how can you be anything but an enemy to the Corn-laws, and to the farmer who is protected by them?" To this he replied, that it was undoubtedly his office to preside over the Board of Trade; that everything which affected the industry of the country, be it agricultural, commercial, or otherwise, came under his department; that, instead of seeking to injure the agricultural interest, he was anxious to do everything in his power to promote it, and, as an instance of his anxiety, he mentioned that the first question which had come under his consideration upon entering into office, was whether foreign corn had not been imported into the country fraudulently from the Channel Islands. He had never imputed neglect to the right hon. Gentleman, either in that or in any other department. What he had stated was, and the fact had been established beyond all contradiction, that there had been fraudulent importations of foreign corn, duty free, into this country from the Isle of Man and from the Channel Islands. The late Government had instituted an inquiry into the extent of the fraud. He did not know the precise date when that inquiry was instituted; but a Report was made to them on the subject of that inquiry on the 30th of last July, at a period of the Session when it was clearly impossible for the right hon. Gentleman to have introduced and carried any preventive measures through Parliament. That Report would be presented shortly to the House, and his only reason for not having presented it already, was a fear that he might have overlooked other papers which ought to be presented with it. He should certainly feel it his duty to propose some measure on this subject; for though the fraud had not been practised to such an extent as would affect the markets, still there had been fraud, and it was the duty of Parliament to punish and prevent it. If he had not already introduced a Bill for that purpose, it was owing to the circumstance of the fiscal arrangements of the Isle of Man being in a very anomalous state. He was anxious to see whether some general arrangement could not be made which would apply equally to all the islands. If it had not been for that consideration, he should have introduced a Bill to prevent and stop these fraudulent importations.

Mr. *Poulett Thomson* would ask the right hon. Gentleman one question. Was he to understand that the right hon. Gentleman intended to introduce a Bill to prevent these importations being made, not only from the Isle of Man, but also from the Channel Islands?

Mr. *Baring* said, that it was his intention to include within his Bill all cases of this kind of fraud. It would extend not only to the Isle of Man, but also to the Isle of Guernsey, from the northern part of which the importations had been most frequent.

NORTH AMERICAN BOUNDARY.] Mr. *Robinson* seeing the right hon. Baronet (the Chancellor of the Exchequer) in his place, begged to embrace the opportunity of asking, whether any progress had been made since the last Session of Parliament in the settlement of the long pending Question of the North American Boundary Line.

The *Chancellor of the Exchequer* said, that it would be a difficult matter to give the hon. Member an answer on the Boundary question in terms as concise as those in which he had couched his query. It was one of the most important and complicated Questions with which Government had to deal, as it related to the settling of the limits of the State of Maine on the part of the United States, and of the limits of the province of New Brunswick on the part of his Britannic Majesty. The dispute arose out of a treaty made between the two countries so long ago as the year 1783. By that treaty a line was to be drawn, determining the boundaries of Maine and New Brunswick. Certain high lands were supposed to exist between the waters of the St. Lawrence and the Atlantic, and those high lands were to form the boundaries of the two provinces. But those high lands had never been discovered;

indeed, it was physically impossible to find them. In consequence of this, a convention was subsequently made between this country and the United States, by which the settlement of these boundaries was left to the arbitration of the King of the Netherlands. Three points were submitted to his arbitration. On two of them the King of the Netherlands had given a decided opinion; but, on the third, he said, that it was impossible for him to give any opinion at all, as the high lands did not exist in the position in which they were supposed to exist in 1783. Under these circumstances, the King of the Netherlands suggested, that an amicable compromise should take place between our Government and that of the United States. The British Government was desirous to stand by the arbitration of the King of the Netherlands with respect to the terms of that compromise; but the United States refused. The United States then suggested, that there should be a new survey. The British Government consented to make that new survey, and to abide by it, provided certain preliminary articles were agreed to. One of them was whether the Bay of Fundy should be considered as a part of the Atlantic Ocean. A despatch had been sent out upon this point in the course of last autumn, but no answer had yet been received to it, the President of the United States having declined to produce any papers on the point, from fear, he supposed, of compromising himself on the subject. The negotiation, however, was still pending. This was the only point now in controversy between the two Powers, an announcement which would give satisfaction to all lovers of peace, who wished well to the commercial interests of both countries. A paper, he repeated, had been transmitted to the American Government in October last, and it was impossible to ascertain yet whether the terms of that paper had been accepted.

NATIONAL EDUCATION.] Mr. *Roebuck*, in pursuance of the notice he had given, moved for the appointment of a select Committee "to inquire into the present state of the Education of the people in England and Wales, and into the application and effects of the grant made in the last Session of Parliament for the erection of school-houses, and to consider the expediency of further grants in aid of education, and to report their observations thereupon to the House."

Mr. *Harvey* felt assured that the House and Government would concur with him in the opinion, that it was important to give to every inquiry presented to the Committee every possible facility. He did not rise, however, with any intention of opposing the re-appointment of this Committee, but it did appear to him that the inquiry to which it was to direct its attention was far too limited in its objects. The assumption the Motion proceeded on he must dispute, which was, that the resources already existing in the country as applicable to the education of the people were not sufficient for that purpose, and therefore the Committee was directed to inquire into the expediency of making further grants to effect that object. Now, his (Mr. Harvey's) inquiry and experience led him to pronounce without hesitation, that they had already a fund strictly belonging to the purposes of national education, amply sufficient, if directed to its proper purposes, for providing education for every child in the country. Though a commission of inquiry had been sitting for seventeen years, at an expense to the country of not less than 250,000*l.* sterling, its inquiry was not more than one-half finished, and what was done was not well accomplished. This was a subject of the greatest possible importance to the House and the country. He would venture to say, that if the actual amount of money arising out of real and funded property, were honestly and strictly applied to those exclusive purposes to which it was intended by its benevolent and pious donors it should be appropriated, there was no child in England that need go without education for lack of means. Now, the terms in which the present Motion was worded went to negative that impression, as they implied that further advances out of the general funds of the country would be required for the purposes of education. Before they sanctioned that impression, the House and the country should be satisfied that all means and resources applicable to that purpose had been exhausted. From the information supplied to him by a laborious investigation of the twenty-six folio Reports of the Commissioners, he would state that not a farthing less than 1,000,000*l.* was applicable to that object, and the same source of information told him that not one quarter of that sum was so applied. With a view, therefore, to add to the efficiency of the Committee, he hoped his hon. Friend would see the expediency of allowing him to add the following words by way of Amendment to the Motion: "That this Committee shall not only inquire into the present state of education, but into the nature and amount of property applicable to the purpose of education, together with the mode in which the grants already made for that purpose have been expended."

Mr. *Roebuck* wished to explain why the inquiry of the Committee was not proposed to extend further. Last Session just such a paragraph as that now brought forward by the hon. Member for Southwark was introduced into the Motion, but it then appeared to be the unanimous feeling of the House that such an inquiry being of a distinct nature, should be prosecuted by a distinct Committee, and he (Mr. Roebuck) accordingly modelled his Motion to its present form. He hoped the hon. Member for Southwark would bring forward his Motion at some other period for a separate and distinct inquiry.

Mr. *Brotherton* said, that there was a school in Manchester, to the maintenance of which 5,000*l*. a-year was applicable, and yet it educated only 200 children; at the national schools in the same town 12,000 children were educated at an expense of 6*s*. 8*d*. each child. Now, if the whole of this 5,000*l*., by which only 200 children were educated, was expended in the way that the money of the national schools was laid out, it would educate 15,000 children.

Mr. *Warburton* hoped that the hon. Member for Southwark would not persevere in proposing such an addition to the labours of the Committee. The effect of it would be to entirely swamp the inquiry, remembering the length of time which the inquiries of the Commissioners of public charities had occupied, and the sum of money they had cost the country, he thought the hon. Member must see that if such duties should be superadded to those already devolving on this Committee, they could not possibly terminate their labours this Session; that, in fact, several Sessions must be devoted to them, and that they would cost the country a very large sum of money.

The *Chancellor of the Exchequer* certainly thought the course of inquiry which the hon. Member for Southwark proposed would paralyze the efforts of the Committee. He did not deny that the subjects to which the hon. Member referred might be fit subjects for an inquiry, but that inquiry should be conducted by a separate Committee. That Committee had made a Report last Session, in which they stated that they were not able to conclude their labours. Now, to superadd to those labours, the inquiry upon which a Commission had been employed for the last twenty years, would be only to withdraw the attention of the Committee from the proper objects of its inquiry. He would suggest, that if any Committee should be appointed for the purpose the hon. Member for Southwark had in view, it should be one to report to the House the progress made by those Commissioners, the steps which they had taken, and the sums which had been expended in their inquiries. Such a Committee would have no power to direct the appropriation of any funds, it could only suggest how they might be appropriated, and it would be then in the power of the House to deal with them as it thought fit. He hoped, with respect to the constitution of the Committee proposed by the hon. Gentleman, that the members composing it would be fairly and indifferently selected, for the true way to gain the confidence of the House was to constitute Committees fairly. If Committees were appointed of certain men with certain opinions, though their names might be of the highest respectability, it was impossible that the House should view any decision to which they might come other than with prejudice. He would have the Committee so constructed, that it would be a fair representation of opposite opinions; but in the present Committee there was, as the hon. Gentleman must admit, a great preponderance of opinion all on one side. [Mr. *Roebuck* had nothing to do with the selection of the Committee.] He could only say, that eighteen Members of the Committee were from the opposite side of the House, while there were only four hon. Gentlemen upon it, who had been selected from the Ministerial side. There were, it was true, no political or party feelings mixed up with the matter, but at the same time there should be a fair balance of opinions represented in the Committee. He claimed, therefore, the power to himself, of adding members to the Committee, There were many new Members of Parliament whom it would be well to initiate in their proceedings. He claimed the power of adding some of them, while he would not ask to exclude any of the old Members from the Committee. If the hon. Gentleman would postpone the naming of the Committee until to-morrow, they might be able, in the meanwhile, to arrange as to the names of the members of it.

Mr. *Roebuck* had no objection to postpone the naming of the Committee until to-morrow, and to communicate with the right hon. Baronet in the meanwhile as to the names of the Members to be put upon it. He would just observe, as regarded the persons at present on the Committee, that there were many Gentlemen on it sitting now on that side (the Opposition side) of the House, who when the Committee was formed sat on the other side. Though he had moved for the Committee, it had been formed by the Government then in existence, in accordance with his wishes.

Mr. *Harvey* was cheered by the intimation given by the right hon. Baronet that he might feel inclined to sanction the appointment of a Committee to ascertain the real amount of property fairly applicable to the purposes of education, and to give effect to the labours of a Commission that had been sitting for seventeen or eighteen years. Though he would not assume that this intimation on the part of the right hon. Baronet was a pledge to that effect, he trusted that when he should move for a Committee for that purpose, it would have the right hon. Baronet's sanction. Without meaning to divide the House upon the subject, he would throw out a hint as to whether there was not something in the terms in which the Motion was couched that would render it inoperative. Amongst other words were the following as part of the Motion:—"And to consider the expediency of further grants in aid of education." He could not understand how they could Report upon the expediency of further grants in ignorance of the amount of property now applicable to that purpose. In order that the inquiry might not be rendered inoperative, he would bring the subject of his Amendment at no distant period before the House. For the present he begged to withdraw it.

Lord *John Russell* quite agreed with the right hon. Baronet, that in the constitution of Committees there ought to be the utmost fairness exhibited. He begged to say that he had nothing to do with the original construction of this Committee further than this—that when his noble Friend (Lord Althorp) proposed to add the late Member for South Lancashire (Mr. George Wood) to it, he proposed to add to it a noble Lord, who now sat on the other side of the House.

The Committee to be appointed, but the nomination deferred until the following day.

ORDERS TO THE MILITARY IN IRELAND.] Mr. *O'Dwyer* rose pursuant to notice to move "that there be laid before this House a copy of any order recently issued to Officers commanding troops in Ireland, directing 'that in future military parties shall not be granted to assist in the collection of tithes without special direction from the Officer Commanding-in-Chief; and directing, that in the event of any collision between the King's troops and the populace, the improper practice hitherto pursued at times, of firing over the heads of the peasantry, be discontinued, and that the troops, shall always fire with effect,' or words to this import." When he gave that notice the other evening, owing, he was sure, to some misconception as to the terms of it, some Members opposite had indulged in something like ridicule, there was laughter in the House. If, however, hon. Gentlemen would listen to the facts of the case, they would see that there was nothing ridiculous in his proposition. He was informed and he believed, that the Commander-in-Chief in Ireland had felt it his duty to issue a circular letter to the officers commanding regiments there, directing them that when the King's troops should come in collision with the peasantry, the practice hitherto pursued, of firing wide of them, should be discontinued, and that when the troops were called upon to fire, they should do so with a view to deal destruction amongst the people. He had no wish to indulge in any criminatory attack upon the gallant Officer who had issued that circular. He was disposed to admit that that gallant Officer had done so through the most humane and benevolent motives, and with a view to spare the effusion of blood where it was practicable. But if such an order had really been given, the utmost publicity should be given to it, in order that the people might know what the consequence would be of a collision on their part with the military. Whether it were wise, constituted as the Irish magistracy was, to take away from the Officers commanding the troops the only discretion that was vested in their hands to check the conduct of the Magistrates was another question. He could assert with reference to a recent melancholy inquiry, that one of the Officers had stated that he could have dislodged the peasantry without firing upon them, but that he was obliged to obey the order of the magistrates. The hon. Gentleman concluded by making his Motion.

Sir *Henry Hardinge* said, that the hon. Member had made a most satisfactory and gratifying statement when he admitted that he had intended to impute no improper motives to his gallant Friend the Commander-in-Chief in Ireland for issuing this order. Indeed, the hon. Member acknowledged that the intentions of the Lieutenant-General in issuing such an order, must have been of the most humane and benevolent description. He was also well aware that on every occasion his gallant Friend was actuated by a spirit of humanity and kindness towards the people. With regard to the Motion of the hon. Member, he did not understand, from the terms of it, whether it referred to an order directing that in future no military party without special directions from the Commander-in-Chief, should assist in the collection of tithes, or to some other order. If it were meant to refer to an order with regard to the collection of tithes, by which the military would not be called upon to act without the orders of the Lord Lieutenant and the Lieutenant-General Commanding the forces, if that were the order to which the hon. Member alluded, it was a circular order, and there would not be the slightest hesitation on the part of the Government to produce it. But if the hon. Gentleman referred to confidential orders issued by the Lieutenant-General commanding the forces in Ireland to Officers commanding regiments in that country. It would be his duty to resist the production of such an order, on account of the very inconvenient precedent it would establish. If the hon. Member alluded to an order issued before he (Sir Henry Hardinge) came into office, as to officers acting under the orders of Magistrates, it was not a confidential order, and there would be no objection to produce it. His gallant Friend, in a letter addressed to the right hon. Gentleman opposite (Mr. Littleton), and dated the 16th of November, 1834, referred to that order. He would just read an extract from that letter to the House, which would show that his gallant Friend was always guided by the most constitutional principles in the line of conduct which he pursued. The Magistrates had expressed a wish "that the Officer in command might be instructed to obey, without comment, such orders as he might receive from them." In reply to that his gallant Friend said "The troops are at all times ready, to attend the Magistrates and to obey their orders. The withdrawal of the troops from Watergrass-hill was in consequence of no Magistrate being prepared to remain on the spot with them to give any orders. The Commanding Officer very properly did not feel himself authorized to remain in the midst of a highly-excited population, without having the civil power at hand to order him to act in case a necessity should arise, and thus expose himself to the alternative of either neglecting that duty which the Magistrates would have imposed upon him, or having recourse to measures (without orders from the civil authority) which, looking to the very proper jealousy the laws have of military authority, might have subjected him to the heaviest penalty of those laws. To placing troops in such a situation, whilst I have the honour to command the army in Ireland, I never will consent; whilst on the other hand, in support of the laws, the military will ever be found ready, as they ever have been, to attend the civil Magistrates and act under their orders." This letter was written in consequence of a requisition of the Magistrates for the assistance of the troops in the collection of tithes. On the margin of the letter the following remarks were written by the late Lord-Lieutenant of Ireland:—"This is a most judicious and truly constitutional statement. I entirely approve of it, and I think that a copy of it should be sent to the Magistrates, and another to the Home-office." If the hon. Gentleman's Motion referred to the order to which that letter alluded, there could not be the slightest objection to its production, or that of any other order or circular; but, he must object to the production of confidential instructions sent to the Officers commanding regiments in Ireland. When the hon. Member gave notice of his Motion, he wrote to his gallant Friend in reference to it. In reply his gallant Friend informed him that he most anxiously desired that that Order, and every order that he had issued, should be laid on the Table of the House; and he (Sir Henry Hardinge) could well imagine that, as no doubt the publication of those orders would redound to the honour and credit of his gallant Friend. But on principle he felt it his duty to oppose the production of that order, lest he should establish a most inconvenient precedent. He trusted, therefore, that the hon. Gentleman would not persevere in his Motion. The hon. Gentleman had stated with reference to the affair at Rathcormac, that the military might have dislodged the peasantry on that melancholy occasion without having recourse to fire-arms. He would not enter upon that subject at present; but he would recommend the hon. Gentleman to read the evidence given at the coroner's inquest, and he would find from the evidence of the Officers that every attempt had been made to dislodge the peasantry by the bayonet before recourse was had to the trigger.

Mr. *O'Dwyer* remembered that one of the officers examined at the inquest, deposed that the peasantry might have been dislodged without firing. He was unable to point out the particular nature of the circular, he wished to have produced: he could not say whether it was a general order, or a private and confidential order. It was possible, however, that all the purposes of his Motion might be answered, if the right hon. and gallant Officer opposite (Sir Henry Hardinge) would state generally that such an order as that referred to, had or had not been issued. If instructions had been given to the troops requiring them for the future to fire with effect, instead of firing over the heads of the peasantry, it would only be humanity and justice to the people of Ireland, to make the fact public.

Mr. *Henry Grattan* could not have supposed that in any assembly in which there existed a spark of humanity, the notice of such a Motion as that which was then under the consideration of the House, would be received with a sneer, as it was by the Gentlemen opposite, when mentioned a few nights since by the hon. Member for Drogheda; and that the Motion itself could afterwards be treated with the apathy and indifference which had been exhibited towards it that night. What did the order to the military amount to, but this? "In any collision with the people shoot as many as you can." There was an anecdote that in the battle of Fontenoy, when an English cavalry regiment encountered a regiment of the French guards, their first volley laid low 700 men. That was what he would call firing point blank. He supposed that was the practice to be followed in Ireland. At Rathcormac there were seventy-two soldiers, and they were three times ordered to fire; forty-two shots were fired, and eighteen took effect, nine persons being killed, and nine wounded. He would ask if this affair at Rathcormac would have occurred, if there had not taken place the accession to power of individuals who were hateful to the majority of the Irish people? ["*No, No!*"] What had taken place in his own county (Meath)? A friend of his had been murdered by the Orange banditti—he was run through the body and killed, because he was a Papist, and because the Protestants thought they could now commit any outrage with impunity. The Orangemen paraded the town of Kells after the election, in which they had been defeated—those Orangemen who had been favoured and protected by the right hon. Baronet when he ruled as Secretary in Ireland—and their cry was "Where is the Papist who dare show his face?" Several Catholics came forward and asked what they wanted, and the result was as he had stated. It was absolutely necessary for the Representatives of the people to protect the Irish people against such sanguinary proceedings, to which encouragement had been held forth by the accession of the Tories to power. If the Tories had not come into power, the killing and wounding of eighteen individuals at Rathcormac would never have occurred, for such things were attributable to the impunity which the parties concerned knew they would experience from packed juries, and from a Tory Government in Ireland. Of what use was the order—how could it prevent the effusion of blood, if it were not made public? The people should be at least apprised that if, in future, they ventured to come into collision with the military, they had no chance of escape. Being apprised of this fact, in all probability they would keep out of danger. He thought Government bound to state whether the order had been issued or not, that the people might be put upon their guard, if the order had been given. He would have the fact published, not only in the House, but in every town and parish in Ireland. If the Government went on collecting tithes as hitherto, with the assistance of military and police, they ought to guard the people against the consequences that must result under this order from the mad and foolish conduct of the Administration. It happened in the unfortunate affair at Rathcormac, that the people had no arms. Two men were shot by the troops, and immediately two other men supplied their places who were yet alive to tell their story. Thus were the people murdered! If the Horse Guards issued orders approving the conduct of the military, because they had acted under the direction of clerical Magistrates interested in the collection of tithes, and because they had given those Magistrates satisfaction, the result must be to stamp the conduct of the Government with disgrace. It would be impossible for them to carry on the Government with security to the country, if they proceeded with such violent measures—measures which were better fitted for Russia than for this country. He called upon the honestand independent Gentlemen of England to come forward and protect their Irish fellow-subjects from such sanguinary proceedings. He would recommend the Government to look to the years 1795 and 1796, when orders were issued for disarming in the north by General Lake. In justice to you, Sir, (said the hon. Gentleman more particularly addressing himself to the Speaker) I must mention that at that time there was one man who stood out against those sanguinary orders—a man who bore the name that you now bear—a name that will be kept in everlasting remembrance and admiration by my country. Let it not go forth to the world that the accession of the present Ministry to power, marked by such sanguinary scenes as those which had been enacted at Rathcormac, was to give a sanction to bloodshed. If the orders which had been issued were good, why should they not be disclosed; and if the contrary, why had they not been rescinded? If his hon. friend pressed the question to a division, he should certainly support it.

Sir *Charles Dalbiac* said, that as a general officer on the staff of the army of Great Britain, and included in the London district, he could not refrain from offering a few observations on the subject of the present Motion, but in doing so he should not follow the example of the hon. Gentleman who had preceded him, by going into extraneous matter; on the contrary, he proposed to confine himself to the propriety or impropriety of issuing such an order as had been required. In cases when the military were called out to suppress riots, the assemblies must always understand, he supposed, after the reading of the Riot Act, and the orders of the acting Magistrate to the military to do their duty, that to remain on the spot was to expose themselves to inevitable danger. No military duty was so painful, so critical, so distressing, and so difficult, as that of suppressing disturbances, as the troops must be conscious that they might have to take the lives of their fellow-subjects, and perhaps of dear connexions. But the first duty of a British soldier was obedience, and he contended that obedience to the orders of the civil power was as imperative as obedience to their own officers. He should conceive that from the moment he, as a military officer, received orders to put down riotous proceedings, the whole responsibility was taken off the shoulders of the Magistrates, and placed upon him; and if, by his refusal to act with sufficient energy, evil consequences should ensue, the entire blame would be chargeable upon him. He entertained no doubt that the order referred to, if it had been issued, proceeded on the principle of the expediency of acting with decision, which was by far the most merciful course in such cases. He was satisfied that the order arose from a conviction, founded on experience, that the practice of firing over the heads of the people in cases of riotous assemblages, had been in nine cases out of ten, productive of evil instead of good—of severity, instead of mercy, of destruction to the innocent, instead of punishment to the guilty. Nothing but a high sense of the duty which he owed to the House, would induce him to refer to the circumstance which brought upon him the discharge of a duty, the most painful he had ever had to discharge in the whole course of a long military life—he alluded to the very unpleasant circumstances which occurred at Bristol. If ever there was an occasion when he should wish closely to adhere to the adage *de mortuis nil nisi bonum,* it was in reference to the transactions at Bristol; but he was relieved from all difficulty upon that head, for he could now declare to the House, after a full knowledge of all the circumstances, that that unfortunate occurrence proceeded exclusively from a mistaken lenity, and from no other cause whatever—a mistaken lenity scandalously and shamefully abused. If the troops on that occasion had only been actively employed in moving about in the riotous assemblage, and showing a determination to put them down, no evil would have ensued, or it at all events would not have exceeded more than some half-dozen broken heads. He need not tell the House what evil did ensue. The extent of life lost by the sword was never, he believed, correctly ascertained; and then came the law, demanding its victims. As to the loss of property, he could only say that if the 29th of October, 1831, instead of being quiet and still, had been a stormy day like this, the whole city of Bristol would have been in flames. As connected with the present subject, he wished to say a few words on a Motion made last night.

The *Speaker* said, that the hon. Member must confine himself to the Motion before the House.

Sir *Charles Dalbiac* thought the subject to which he was about to allude was closely connected with the present Question, but he had no wish to persist in his observations contrary to the sense of the House.

Mr. *Littleton* said, that if the Motion were persisted in, he should consider it to be his duty to divide with the right hon. Baronet, (Sir H. Hardinge.) His hon. Friend, the Member for Drogheda, had only done justice to the Officer commanding the forces in Ireland, in not imputing to that distinguished individual any blame for the late unfortunate occurrence at Rathcormac. No person could take greater pains to diffuse among the troops under his command just and humane principles of action. He had no means of knowing whether such an order as that referred to existed, but from what fell from the right hon. Gentleman opposite, he presumed it did. He was sure, speaking from his own experience, that it was high time some regulation should be adopted on the subject. Most unfortunate results had arisen from the practice of directing the soldiers to fire over the heads of the people in cases of riot and disturbance. A company of infantry and police were marched upon the ground to preserve the public peace, and it was found necessary to order them to fire. Twenty or thirty men discharged their pieces over the heads of the crowd: the people, finding it was not intended to act with effect, stood their ground and closed in upon the soldiers who then came in contact with the sticks of the country people. [Mr. *Sheil.*—Where has that been the case.] It was in almost every instance the practice; and the result, he would repeat was, that the peasantry believing that the soldiers did not mean to fire at them, closed in upon the troops—so much so, that the bayonets of the military would actually come in contact with the sticks of the peasantry: and it generally happened that the first fire not being made with effect, the most distressing results afterwards ensued. If an order were given, that some two or three of the soldiers should fire with effect at the leaders of the riot, it would, he conceived, be an act of humanity, and would be the means of saving the lives of many of his Majesty's subjects.

Mr. *O'Connell* thought that the right hon. Gentleman had adduced the strongest reasons for the production of the Order in question. The right hon. Gentleman said it had been the practice to fire over the heads of the people; if so, it was manifest that the expectation of the first volley not being intended to take effect induced the people to stay, and it should therefore be distinctly shown that the sham-fight practice was now to be abandoned. He did not wish to fight Irish subjects in by-battles, or to take up the question by miserable instalments; but, in reference to the occurrence at Rathcormac, he might observe, that the people were told that it was a trespass to enter an enclosed field for the purpose of distraining, and probably they did not expect that persons committing a trespass would fire on them: hence the assemblage of the people, and the melancholy result that had occurred. He protested against the principle laid down by the gallant Officer opposite (Sir C. Dalbiac). The gallant Member talked of a soldier's duty of obedience to the civil power as being paramount to every other consideration; but he would tell the gallant Officer obedience was no justification of the soldier if he violated the law in consequence of a Magistrate's order. A soldier, acting under the directions of a Magistrate, might nevertheless, be guilty of murder if he acted against the law; no order could justify an illegal act. He was sorry to hear a British officer say, that obedience was the first duty of a soldier.

Sir *Charles Dalbiac* meant to say, that if a General Officer were placed under the orders of the Commander-in-Chief and the Home Secretary (the highest authority in such cases,) and by them directed to act under the Magistrates, in the event of a refusal to obey the civil power, such officer was responsible to the laws of the country, and exposed to the reprehension of his Sovereign.

Mr. *O'Connell* did not mean to say that the hon. and gallant Officer was not bound to obey a legitimate order, but the hon. and gallant Officer conceived that it was his duty to obey, at all events; and that the duty of obedience justified the act on his part.

Sir *Charles Dalbiac*: Most unquestionably, I say it is. If the Magistrate should give ever so imprudent or capricious an order, if I were not sensible of any impropriety in obeying the order of that Magistrate, it would be my duty to obey that order.

The *Chancellor of the Exchequer* was glad to find it generally admitted that the gallant and distinguished services of Sir Hussey Vivian, the Commander of the Forces in Ireland, were only equalled by his humanity, and he felt that it was of great advantage to the public service, and a guarantee that the military force in Ireland would be directed with temperance and discretion, when it was found that that gallant General had consented to remain in his command of the forces in that country. The real Question now at issue was, whether it were desirable to make a precedent on this occasion, by producing a confidential order from the Commander of the Forces to the officers acting under him in Ireland. The object was to secure the performance of the public service at as small a risk of effusion of blood as possible. If the practice of firing over the heads of the people on occasions of collisions between the military and the people —a practice the existence of which had been admitted by Gentlemen opposite—led to delusion in the first instance, and if in consequence of that delusion, the people were induced to rush upon the troops, and greater loss of life was thereby occasioned, might it not be consistent with the best interests of humanity to give a caution on the subject—a caution to the troops who might be called on to act? Might it not be consistent with a regard to humanity for the Commander-in-Chief to specify to the commanding officers under his control, who were responsible for the manner in which the troops acted, in what way it would be best to conduct the delicate and difficult duty imposed upon them, so as to lead to the least possible effusion of blood, yet with the greatest precaution and effect in reference to the preservation of the public peace? But if orders so given were publicly promulgated, and if those who felt disposed to attack the troops knew the precise nature of the orders, the result might be that they would be frustrated, and the precautions taken to secure the public peace and spare the effusion of blood, be thus defeated. He thought it would be infinitely better to leave this matter in the hands of the proper authorities, in the hands of those who could have no possible object in view but the promotion of the public service, and the preservation of the peace with the least hazard to human life. Depend upon it, that was the best course to pursue in reference to the present Question? there could be no suspicion as to the humanity and judgment which dictated the order; but he apprehended that the desire to provide for the security of public tranquillity, and to spare all needless effusion of blood would be defeated, if, in this and similar cases, the publication of confidential orders were insisted on.

Mr. *Hume:* The right hon. Baronet appears anxious that the officers and soldiers acting under them should be protected; but his feelings of sensibility stop there—he has no regard apparently for the people.

The *Chancellor of the Exchequer:* I say at once, Sir, that the object of those who issued the order, was not so much to provide for the security of the troops, as to provide for the security of the people. [Mr. *Hume* dissented.] Positively that was the object of the order, whatever the hon. Member for Middlesex may think to the contrary.

Mr. *Hume* had no doubt that the right hon. Baronet was correct in his view of the object of the order; but the question was, what was likely to be its effect? Was it right to keep the persons who might be liable to additional punishment and risk under this order, in ignorance of its existence? Granting that the order was necessary or desirable, its publication was no less so. The right hon. Gentleman had made out a case for its publication. The right hon. Gentleman admitted the existence of a practice of firing over the heads of the people, through an unwillingness to cause destruction of life; "but," said the right hon. Gentleman, "this practice led to bad results," and, therefore, he sanctioned the promulgation among the troops, of orders that must produce a different practice in future, without parties being put on their guard and made aware of it. If the order had been issued out of humanity as was alleged, let persons liable to its operation be apprised of it. It was with the utmost surprise he had heard the right hon. Member for Staffordshire take the course he did on the present occasion; and he could not understand from the right hon. Gentleman's inconclusive reasoning, why it was that he thought that or any other order to the troops should not be made known publicly. The Mutiny Bill intrusted his Majesty with the conduct and management of the army; and it contained a clause which, to the best of his recollection, directed all military orders and rules to be laid on the Table of the House. If that were the law,—he admitted it was not the practice—what just objection could be offered to the production and promulgation of the order in question, particularly as it was a new and hitherto unheard of regulation? Was it right that a law by which so many lives might be sacrificed, should be only known to the officers and soldiers, and not to the people? If such was to be the treatment of the people of Ireland at the hands of the present Government, was the right hon. Gentleman prepared to issue a similar order for England and Scotland? Or was there to be one law for Ireland, and another for England? If the right hon. Gentleman refused to allow the publication of the order, he would be acting with great imprudence, contrary to law, and the provisions of the Mutiny Act. The hon. Mover ought to persevere in pressing the Question to a division, in which case he should certainly support him, for the credit of the House, with a view to the public benefit, in furtherance of the cause of humanity, and of the Irish people.

Mr. *Charles Grant* could state, with perfect truth, that the gallant Officer at the head of the military in Ireland was not more distinguished for valour and conduct in the field than by his regard for humanity. With respect to the motives which actuated that gallant officer in dictating the order in question he could not entertain the slightest doubt. As to the production of the order, he confessed he felt considerable difficulty, for in such cases much must depend upon the Government; and if the right hon. Baronet thought the production of a confidential paper would form an improper precedent, and that it would be inconvenient, in this particular case, to lay the order before the House, he felt disposed to throw the matter upon the discretion and responsibility of Ministers. He was willing to yield to the just claims of Ministerial discretion and responsibility in this instance, if those claims were pressed; but, notwithstanding, it appeared to him that if the order were dictated by considerations of humanity, which he believed, the humanity would consist in its publication. On the contrary, if it must continue a secret order, it might be thought to be more in the nature of inhumanity. He said this without meaning to cast any imputation on the members of the Government; but it was for them to consider whether in regard to this view it was not expedient to make the order more public than at present, that those individuals who believed up to this time that a collision with the military was more in the nature of a mock fight than a serious combat should be forewarned that there was to be no longer a sort of preliminary or ostensible battle, but that if they exposed themselves by coming in contact with the troops they must expect serious consequences. He trusted that Ministers, after consideration, might be enabled to come to the conclusion, that by giving publicity to the order they would best consult the interests of humanity.

The *Chancellor of the Exchequer* said, all he asked from the House was, that they would leave the matter at present in the hands of those who were responsible for it, and he asked this from a sincere conviction that it was not only for the advantage of the troops but for the interests of humanity and conducive to the public peace so to leave it.

Mr. *Sheil:* The object of issuing this order was said to be to save the spilling of human blood, and anybody who knew the valour and humanity that were combined in the person of Sir Hussey Vivian would not question that proposition; but hon. Gentlemen opposite must allow him to indulge in some scepticism respecting the manner in which the order might be carried into effect. Did it not strike the right hon. Baronet, that according to his own argument it mattered not what order was issued by the Horse Guards, the House of Commons would have no check upon the Commander-in-Chief, provided he wrote upon that order the word "Confidential"? This would effectually prevent the House and the public taking cognizance of it. In the present case he had a right to ask, were the circumstances of such a nature as to justify the House to call for a disclosure? The answer was, that such a disclosure would counteract the benevolent intentions of those who issued the order; he was, however, at a loss to conceive how it could have that effect. He had ventured to ask the right hon. Gentleman (the member for Staffordshire) in what instance was it that the troops had fired over the heads of the people, and that bad consequences had ensued. It was not enough to argue upon an hypothetical case; but they must show him the fact. He was wholly unacquainted with any such transaction. Could any one say, that at Rathcormac the soldiers did not fire point blank upon the people? Was it not a notorious fact that eighteen persons were slain or wounded on the occasion? The right hon. Gentleman, the late President of the Board of Trade, had put the subject in a just point of view. If they really wanted to attain the object they professed to have at heart, let them give publicity to their orders.

Mr. *Shaw:* The question was, whether the House of Commons would require the orders given by a Commanding Officer to be produced, when they were distinctly informed that they were of a confidential nature? If this were to become the practice it could only lead to one result, namely, that the Commanding Officers would not give their orders in writing, but would take care that they were only verbally communicated. Did the House mean to say, that a Commanding Officer whether of a higher or lower rank, might not give confidential orders to the troops under his command, without their being in every case liable to be afterwards made public? The hon. Member for Middlesex was quite mistaken in supposing that such an order amounted to a law. It was merely a direction from the Commanding Officer to those under his control for their guidance and instruction. The Commanding Officer would bear his share of the responsibility — Government would bear their's. The House ought to be satisfied with this, and that they were not justified in calling for the production of an order which they were informed was of a confidential nature.

Mr. *Hardy* could not understand why, if an order of the kind had been issued, it should be designated a confidential order. The right hon. Gentleman, the Secretary for Ireland, might call it a confidential one, but he could not understand why that which would govern the conduct of the military on all future occasions should be so considered. If there were any one thing which it was important to promulgate for the information of the public, it was an order of this nature. It had always been the custom to give the people some warning by firing over their heads, or loading with blank cartridges. Under these circumstances he maintained that the issuing and acting upon such an order without any previous intimation was in opposition to every principle of humanity.

Lord *John Russell* wished if possible to take some course on the question which would satisfy what he considered the just wishes of a great proportion of the House. He could entertain no doubt when the right hon. Gentleman who first opposed the Motion had told them that the production of the order would be injurious to the public service, that he must feel there were good and satisfactory reasons for his taking upon himself the responsibility of the refusal. On the other hand, he, like his right hon. Friend near him, did feel that it was an order of such a nature that its humanity consisted—almost entirely consisted—in its being known to, and understood by, those whose ignorance of its contents might involve them in a scene of slaughter to which they would not otherwise be exposed. Between these two difficulties he was desirous of offering a suggestion to the right hon. Gentleman opposite, which he trusted would remove both. It was, whether the Commander-in-Chief, Sir Hussey Vivian, having, as he understood, no objection to give publicity to the order, some order might not be issued, or some regulation established in Ireland, by which this order might be promulgated and made generally known to the public. If this were done, he thought the House would be satisfied, and that the order itself, being of a confidential nature, or of a description which it was not usual to produce, could not fairly be required to be laid before the House.

Sir *Henry Hardinge* begged, although he might not perhaps be quite regular in doing so, to remind the House that he had resisted the production of the order on the ground of the inconvenience of the precedent, rather than with reference to any question arising out of the order itself. He maintained, that if any Member of that House were at liberty to get up and call for the production of confidential instructions—and the order in question was only an instruction—from the Commander-in-Chief to general and commanding officers of regiments, the discipline of the army would suffer very materially. He had, therefore, broadly stated, that he resisted the Motion on the ground of precedent; that his gallant Friend, Sir Hussey Vivian, was exceedingly anxious that not only this, but that every similar order should be promulgated; but that he was of opinion, the order being endorsed by the Commanding Officer, himself "confidential," that he was not at liberty to produce it in compliance with the Motion of the hon. Member. He should feel the deepest responsibility in doing so. He agreed, however, with the noble Lord (Lord John Russell) and the hon. Member for Inverness-shire, that it might be very possible for the Commander-in-Chief, not only in Ireland, but in England and in Scotland also, to promulgate the substance of the order in such a manner as that the public might be informed of the course the military were instructed to adopt, in the event of any of those unfortunate and unhappy collisions in which they were sometimes involved with the populace. Under these circumstances he trusted it would be satisfactory to the House to know, that his right hon. Friend near him would communicate with the Commander-in-Chief, and that such an order should be promulgated as would remove any doubts or uncertainty that might exist. He hoped this explanation would be satisfactory, and at the same time he trusted the House would agree with him as to the inconvenience of laying down the precedent now sought to be established.

The *Chancellor of the Exchequer* said, that after the turn the debate had taken, he apprehended it must occur to every one, that if publicity were the object in view, the mere production of a Parliamentary paper could not attain it. Again he said, leave the matter in the hands of the responsible Government. He believed all proper and necessary notice would be afforded through the channel which had been pointed ou twhile, at the same time, any part of the order which it might be inexpedient for the public to become acquainted with need not be promulgated.

Mr. *Hume* wished to ask whether the right hon. Gentleman's meaning was, that the order in question should be cancelled, and another issued by the Commander-in-Chief, applicable to the whole of the United Kingdom? If this were the intention of Government, nothing could be more satisfactory.

Sir *Henry Hardinge* explained his meaning to be, that an order would be issued by the Commander-in-Chief which would show to the whole of the United Kingdom what course would be pursued under similar circumstances to those of Rathcormac.

Motion withdrawn.

Bribery at Elections.] Mr. *Gisborne*, in rising to make the Motion of which he had given notice, begged, in the first instance, to set himself right with the House, by stating that he had since been informed that the object he had in view could be effected by a simple resolution. He therefore simply proposed to move:—"That in all cases in which an election shall be declared void, and the sitting Member unseated on the ground of bribery or treating, and in which it shall not be reported to the House by the Committee, that the petitioners had been guilty of similar practices, it is expedient that the expenses of the petitioners should be borne by the public." He believed not only that it was perfectly competent to the House to carry this object into effect by a specific resolution, but that it was in strict accordance with the practice which had been constantly pursued in similar inquiries, even without any Act of Parliament whatever on the subject. His Motion, in its original shape, proceeded thus: "but that in every case in which a sitting Member shall be declared, on the ground of bribery or treating, incapable of sitting again in the same Parliament, the expenses of the petitioners shall be borne by the unseated Member." It had, however, occurred to him that the object of the Motion might be effected by the House adopting a resolution that it be an instruction to the Committee in all cases in which bribery and treating were proved against the candidates, to report that the petition, on their parts, was frivolous and vexatious. The ground on which he brought forward the Motion was to afford additional facilities for the prevention of bribery; the fact being that the expense of proving bribery and corruption before the House afforded a positive protection in every case in which a rich man was opposed by a poor man. Bribery could be committed with perfect impunity and security in every case in which a rich and powerful party in a borough were opposed only by less wealthy people. He held that in no case could the public money be better expended than in purifying the Constitution of that House, and that it was its duty to use every possible engine in its power for the detection and punishment of cases of bribery. He did not know what objection could be urged against the Motion; he believed that the amount of expense it would entail upon the public, would be extremely small, that bribery would be greatly diminished, and that it would act as a prevention rather than as a cure. He would put a case in which such a resolution as the present would be very beneficial. They all knew that in many cases in which bribery was committed to a great extent, no man had an interest in bringing it forward, because, where both parties had resorted to the same means of corrupting the voters, the unsuccessful candidate knew he would not benefit himself by unseating the other Member. But why should not the honest, uncorrupted, and independent electors have a ready and unexpensive mode of coming before the House, and showing that the corruption was so general and extensive, that their rights were in fact swamped, and rendered of no avail? He had been informed that the objection to the present Motion which would be urged on the part of the hon. and learned Attorney-General was, that it was not competent to the House to impose these expenses on the public by a simple resolution, and that it ought to be done by a Bill; now he objected to bringing in a Bill, because it would not meet the case of the present Parliament; he wished the alteration to apply to the election petitions already in progress, of which he knew nothing, and with the merits of which he was wholly unacquainted. The present Motion had reference to no particular party or case. He wished it to come into operation at once, though it certainly would not be an *ex post facto* law, because it was merely an equivalent to a reward on the detection of bribery, imposing no additional punishment on the party involved than that which arose from providing greater facilities for its detection. He merely wished to carry the Motion as a matter of principle, leaving the details to be settled hereafter. It might be objected that the resolution would give rise to frivolous and vexatious proceedings. But it should not be forgotten that in the very first place, the parties must run all the risk of a great outlay of money, and considerable expense—an inconvenience to which they were not likely to expose themselves unnecessarily and without cause. The hon. Gentleman concluded by submitting the Motion.

The *Attorney General* said, that his attention had only been recently called to the subject, and that he had consequently been unable to give it that consideration which he was anxious to bestow on every question, whatever its individual importance might be. As he understood the hon. Gentleman, he had appealed to him whether there was any difficulty in the resolution he proposed. It certainly appeared to him that, with respect to the second part of it, there was very great difficulty. The hon. Gentleman disapproved of the existing law in this respect. He really thought the resolution he proposed would make the matter worse. To fetter the judgment of an election Committee, sworn to decide upon their Oaths according to the evidence, to declare that in certain cases the petition should be considered frivolous and vexatious, whether the Committee thought so or not, did appear to him a very inconvenient and somewhat awkward mode of proceeding to put down bribery and corruption. He had no intention whatever of opposing the spirit of the resolution—he could have none. He was ready to concur with any hon. Member on either side of the House in any measure likely to put a stop to bribery and corruption, or of violence and intimidation at elections. He could assure his hon. Friend that if he would adopt the more legitimate course of introducing some Bill for that purpose, he would give him his best assistance in private, and also by his vote in public, by supporting the measure so far as he conceived it calculated to produce beneficial results. He thought this a very inconvenient mode of introducing the subject. In the first place, he did not know, supposing the House to concur with the hon. Mover of the Resolution, how it could be carried into effect. Undoubtedly, the House had the power of voting a sum of money for this or any other legitimate purpose, and of including it in the Appropriation Bill at the end of the Session, and by that means obtaining the consent of the Lords and of the Crown; but he did not apprehend that a mere resolution of that House would have the effect of a general law, declaring that one whole class of expenses should be paid out of the public purse, without the slightest reference to the individual circumstances or urgency of each particular case. He conceived, that though it was in the power of the House to vote a sum of money for a particular discovery, and to include it in the Appropriation Bill afterwards, it would scarcely be competent to them by some general resolution to award a sum of money to every inventor without reference to the merits of each case, and thus give the resolution the effect of a general law. It would be necessary in every case to adopt a different resolution, and the House would thereby bind itself to determine upon the merits of each. He would conclude by again recommending the hon. Gentleman to adopt the more regular course of introducing a Bill to adapt the regulations he thought necessary to cases of bribery and corruption; and he had no objection to add—adverting to a notice of Amendment he had seen—to cases of violence and intimidation.

Mr. *Wynn* expressed his concurrence in the opinion expressed by the hon. and learned Gentleman who had just sat down. He considered it decidedly against every rule of practice, and the whole spirit of the law, to withdraw the consideration of every individual case from the authority of the House, and to decide every case that might arise by Act of Parliament. The Grenville Act fixed the payment of costs in certain cases on the sitting Member: a Resolution of the House had power to impose it on others. He thought the Motion, if it were carried, would give rise to an incalculable quantity of frivolous and vexatious objections; and that in almost every case of a contested election, they would have petitions presented complaining of the Return.

Sir *John Campbell* thought, that some objection might have been urged to the Resolution as originally worded, but he wished the House to observe that, as amended, the Resolution would not come into operation, unless in cases in which it was not reported, that petitioners had been guilty of similar practices. With respect to the course which ought to be pursued for carrying into effect what seemed to be the general feeling of the House, it appeared to him better to lay down a general rule, to apply to all cases without exception, than to pass a specific Resolution, as the hon. and learned Member opposite (the Attorney-General) had suggested, *toties quoties*, as a case calling for such resolution, should arise. The latter course of proceeding would be liable to the objection, from which the first was free, of opening a door for partiality.

The *Chancellor of the Exchequer* was satisfied, that the House would not, without the fullest and most mature deliberation, affirm a Resolution, pledging the public to pay all the expenses of successful petitioners, who might not themselves be found guilty of bribery, and that without there being any limit or restriction as to those expenses. In the present instance, however, the hon. Member for Derbyshire had given notice of a Motion which the House had met to discuss, but that Motion the hon. Member had chosen to alter, and they were now called on, without having received any notice, to agree to another Motion, which called upon the House to pledge the public to pay the expenses of petitions in all cases where the elections shall be declared void on the ground of bribery, and that without limitation or specification. He hoped that the House would not agree to a Motion of this nature without having received notice of it. He stood there as the guardian of the public funds, and he should be sorry to see that House pledging the public to pay the expenses of election petitioners, without duly considering how much such a proceeding interested hon.

Members themselves. The Resolution as it now stood, stated—"That in all cases in which the election shall be declared void, or the sitting Members shall be unseated on the ground of bribery and corruption, and which it shall not be reported to the House by the Committee appointed to try the petition, that the petitioners have been guilty of similar practices, it is expedient that the expenses of the petitioners shall be borne by the public at large." This assumed, that there was no other petitioner but the candidate. But a petition might come from voters. Another view of the case was, that according to the present practice of election Committees, it was not usual to go into the case of the petitioner at all. But the hon. Member by his Motion said, that in case the Member was unseated, and no bribery was reported by the Committee to have taken place on the other side, then the expenses of the petitioner were to fall upon the public. He (the Chancellor of the Exchequer) said, that it was not sufficient, that the Committee should make no Report. He would say, that the Committee ought specifically to report, that the petitioner was not guilty of bribery or corruption. Ought not the Committee to examine into the question whether the petitioner were guilty of bribery or not. But the hon. Member said, that if no report was made by the Committee of an act of bribery on the part of the petitioner—if the question as to his guilt were not gone into at all, however guilty he might in reality be, still he would be entitled to all his expenses. He felt that he would not be doing his duty if he did not oppose this Motion in its present shape, especially as it pledged the House to a resolution different to the present practice of Committees. It might be right that a petitioner in such a case should be borne out harmless, and without being put to any expense—of that he would at present give no opinion, but he would warn the House against giving a precipitate vote upon this or any other subject, without being exactly aware how far the resolution might carry them. An hon. Gentleman opposite (Mr. Hardy) had given notice of a Bill to regulate and amend the laws relating to bribery at elections. Would it not be advisable to incorporate the present resolution in that measure, and thus afford the House a fair and ample opportunity of considering its expediency?

Mr. *Hume* said, that if his hon. Friend the Member for Derbyshire were to wait till the matter was settled in the other House, he might wait a long time; at the same time, he acknowledged that he could not exactly see his way through his hon. Friend's Motion. The principle was sufficiently clear, that as the public suffered by bribery, the public ought to pay the expenses; but while this principle was admitted, it ought, for the safety of the public, to be subjected to the strictest rules. Under all the circumstances he recommended his hon. Friend to withdraw his Motion for the present; in so doing, however, he begged to enter his protest against the suggestion of the right hon. Gentleman for embodying the resolution in a Bill. He should like to know what security the Commons of England had that any Bill on the subject which might be adopted by them, would pass the other House of Parliament? The adoption of such a course of proceeding would be a mere waste of time.

Mr. *Jervis* objected to the principle of making the public pay in the first instance for prosecutions for bribery. He thought the proper course to follow would be to introduce a Bill to subject the party unsuccessful on an election petition to the payment of expenses, unless a report should be made in his favour.

Mr. *Baring* was of opinion, that if Election Committees, as at present constituted, did their duty the object which the hon. Mover of the Resolution had in view, would be fully attained. He would put a case which he thought the Resolution would utterly fail in meeting. Suppose a person who had been guilty of bribery and corruption in his own person, and who, therefore, did not wish to petition, were to put forward a man of straw as the petitioner; in that case no bribery could be proved against the petitioner; but if the petition were successful, all the advantage would be in favour of a person who had in reality been guilty of bribery and corruption, and still that person, according to the terms of the Motion, would be entitled to his expenses. With regard to the House of Lords, he did not think it was fairly open to the charge which had been brought against it by the hon. Member for Middlesex. He did not think that it was unwilling to join in any measure to secure the purity of elections, and he need not tell the House that the only law existing on the subject was an Act of Parliament which had received the assent of the three branches of the Legislature.

Mr. *Gisborne* feeling the force of the objection urged by the right hon. Baronet opposite, arising out of the sudden alteration of the Resolution, would withdraw it for the present.

The Motion was withdrawn.

THE RATHCORMAC INQUEST.] Mr. *Feargus O'Connor* rose to move for a Copy of the Evidence taken before the Coroner on an Inquest held at Rathcormac, in the County of Cork, upon the bodies of nine Persons who lost their Lives at Gurtroe on the 18th of December last: also a Copy of the finding of the Jury, and a Copy of the Correspondence which took place between the Government and the Military Secretary, and the Magistrates of the County of Cork, relative to the granting of Troops for the collection of Tithes and arrears of Tithes in the Parish of Gurtroe. His present object was not to inculpate the Magistracy, and he should therefore confine the few remarks he should make to the conduct of the military upon that occasion. The hon. Member for Meath had said, that there were nine men killed upon that occasion, and nine wounded. The hon. Member was entirely mistaken as to the numbers. There were nine men killed on whom an inquest was held, and there were two more carried away by their friends, and on whom no inquest was held; seven were mortally wounded, and thirty-five were more or less wounded. In all there were more than seventy shots fired, of which forty-five or forty-six took effect. It was said that the military had endeavoured to intimidate the people before they fired; but if he could get a Court-martial upon the military, which was his object, he should be able to establish a case of gross ignorance of discipline on the part of the Commanding Officer, and of gross and extraordinary brutality on that of the soldiers—

Sir *Henry Hardinge*, interrupting the hon. Member, begged to put it to him whether it would not be proper to refrain from all exciting topics, and to postpone the present discussion until after the trial of those individuals, against whom charges connected with the affair alluded to had been made.

Sir *John Campbell* entertained the same opinion, and entreated the hon. and learned Gentleman not to raise a discussion on the Question, in its present state.

Mr. *Feargus O'Connor* replied, that having the honour to represent the county of Cork, where the unfortunate transaction took place, and having been counsel for the friends of the victims at the inquest, he conceived that he had a perfect right to bring the subject before the House.

Mr. *Shaw* begged to remind the hon. and learned Gentleman, that soldiers were amenable to the criminal law of their country, as well as other individuals.

Mr. *Hume* hoped the hon. and learned Gentleman would consent to withdraw the Motion.

Mr. *Feargus O'Connor* considered that the only mode of punishing soldiers for misconduct, was by bringing them to a Court Martial. ["*No, no!*"] He had no wish to interfere with the ends of justice; and he would, therefore, defer it to the general sense of the House, and withdraw his Motion.

Sir *Henry Hardinge* thought it right, as an imputation had been cast on a gallant officer, to declare that it was his firm belief, that that gallant officer would be found, whenever any investigation into his conduct was made, to have acted in a perfectly correct and proper manner.

The Motion was withdrawn.

DIVISIONS.] Sir *Samuel Whalley* moved the following resolution: "That as a number of Members, larger than there is any precedent of, has divided within the present House without inconvenience, it is expedient, with a view to save time, and to relieve the Speaker from an unpleasant duty, that all divisions shall for the future take place within the House." Great inconveniences were occasioned by the present mode of proceeding, among which, loss of time, and loss of seats, were not the least. It was well known, too, that the state of confusion in which the House invariably was after a large division, prevented the transaction of any business in a proper or satisfactory manner. He, therefore, trusted there would be no objection to the adoption of the Motion.

Mr. *Warburton* said, that if means had been adopted by the House for taking down the names of Members in each division, he might, perhaps, agree to the Motion of the hon. Member for Mary-labonne; but as the hon. Member's Motion would add to the great difficulty already existing, of ascertaining the names, he would oppose any such Motion as long as the House took no steps towards regularly registering the names of Members voting upon each division.

Mr. *Littleton* wished to know how it would be possible, supposing the hon. Member's Motion carried, for a House, containing 620 Members to divide, if the minority, consisting of only 20 Members occupied one side of the House, and all the rest of the Members were obliged to go to the other?

Sir *Samuel Whalley* said, the same rule would then apply, as was at present observed, with respect to divisions in Committee, or the Speaker might direct the majority to go into one or both the galleries.

Mr. *Pryme* recommended the adoption of the suggestion, that the Speaker should be empowered to direct either side to withdraw to the lobby, in case of a division, should it be considered necessary for either party to do so.

Sir *George Clerk* thought, that less confusion and loss of time would arise from one party withdrawing to the lobby, than from any other course that could be pursued. Much inconvenience would be found to result from the majority passing over to the seats previously occupied by the minority. At present, the arrangement was, that the party which opposed the Speaker's decision on any question, had to go out; thus, it often happened that the majority might be compelled to go into the lobby, if they called for a division.

Sir *Samuel Whalley* would not press the Motion after the strong feeling which the House had displayed with respect to it. The object he had in view in bringing it forward, was solely to promote the convenience of the House. If hon. Gentlemen had adopted his views on this point, he had intended to suggest, with regard to taking the divisions, that the Clerk should accompany the Tellers, on taking the divisions, with a printed list, and that he should prick with a pin opposite the name of each member as he voted.

The Motion was withdrawn.

Orange Lodges—(Ireland.)] Mr. *Finn* was anxious to put a question to the right hon. Baronet, on a subject seriously affecting the peace of Ireland. He wished to know whether a statement he had seen in the public prints was correct? namely, that his Majesty had received certain addresses from those illegal and unconstitutional bodies—the Orange Societies in Ireland. He had seen it stated, that such petitions had been presented by Members of that House from the Orangemen of Fermanagh, Cork, and Down, and received by his Majesty; and he wished, to know whether it were true that his Majesty had been advised to receive such addresses, coming as they did from bodies existing in defiance of the law; the members of which were known to each other by secret signs, and exclusive in their constitution.

The *Chancellor of the Exchequer* was not aware that the question applied to him, in any way. He recommended the hon. Member to make the inquiry, when the right hon. Gentleman, the Secretary for Ireland, was in his place. He was unable to return the hon. Gentleman any answer.

Subject dropped.

HOUSE OF COMMONS,
Wednesday, March 4, 1835.

Minutes.] Bills. Read a first time:—Wills Amendment and Enfranchisement of Copyholds.

Petitions presented. By Mr. Herbert Curteis, from the Rape of Hastings, and from Ticehurst, Sussex, for the Repeal of the Malt Tax; and from Ticehurst, for an Alteration in the Tithe System.

New Factory Act.] Lord *Morpeth* presented Petitions from the Master Manufacturers of Pudsey, and from the Operatives of Gomersal, praying for an alteration of the Factory Act. From these petitions, it was evident that all classes—the millowners, the master manufacturers, and the operatives themselves, concurred in thinking, that several parts of that measure would be extremely onerous, if carried into execution, and that some alteration must, therefore, of necessity take place. He hoped that the Inspectors appointed by the Act would submit to the Government their views upon the subject, and that the Government would act upon those views. He felt bound to mention, and he did so with feelings of some disappointment that he had been given to understand that the Inspectors had received orders from Government not to admit deputations either from masters or men. This really seemed to be avoiding the most easy and effectual method of meeting the difficulties of the question. This was a question in which party feeling had no place, and which might be discussed, in the present state of circumstances, without exciting warmth on either side.

Mr. Secretary *Goulburn* believed he could satisfy the noble Lord in a very few words. On his taking office he found a great diversity of opinion among the operatives and their masters with respect to the execution of the law, as well as with respect to the making an alteration of some of the provisions. Among the Inspectors, also, he found there were different opinions as to the Amendments. Such being the case, and the law itself being of so recent a date, he thought it the most expedient course to make an experiment of the law; so that, from actual experience, rather than from contradictory opinions, they might be enabled to ascertain what alterations really were necessary. With regard to the allusion which the noble Lord had made to a communication between him and a particular Inspector, the circumstances were these. The Inspector forwarded to him a letter, in which he notified the change which by the Bill would take place in the regulation of factories on the 1st of March; and to that letter he subjoined a requisition he had received, calling upon him to give an interview to a deputation from the parties interested in the changes, for the purpose of discussing what Amendments the Factory Act required. To hold an interview for such a purpose was, it appeared to him, not very consistent with the intention to make a fair experiment of the Bill. He therefore, in his answer to the Inspector, intimated that it would be imprudent to invite interviews with deputations, for the purpose of discussing any Amendment; but nevertheless all the information which could be collected was to be forwarded to the Government.

Mr. *Baines* said, there was considerable diversity of opinion as to the manner in which the provisions in question should be amended; but there was none as to the impracticability of carrying them into effect. In every part of the manufacturing districts in Yorkshire considerable excitement prevailed in consequence of mills having been thrown out of employment by the operation of the Factory-law. It was a measure which was brought before the Legislature when there was great agitation upon the subject, and he certainly thought it was passed without due deliberation. The object of the petitioners was to obtain an inquiry into the principles on which the Bill was founded, to see how far they were applicable to the present state of manufacturing society, and to make amendments in the provisions, so that they would not interfere with the course of trade. It was evident that the Inspectors had considered the directions as closing the door against all inquiry; for he knew that an Inspector had refused to hear the representations of several persons who surrounded his house, on the ground that the orders of Government were to hold no communication with them. He trusted that the Government would allow an inquiry, by which the subject would be fully discussed, and measures adopted for enabling the manufacturers to carry on their business in a way that was indispensable to the welfare and tranquillity of the country.

Sir *George Strickland* said, that as he was connected with that part of the country from which these petitions came, he was anxious to say a few words upon them. He entirely concurred in the opinion that no party feeling was involved in the consideration of the question. It was a question of humanity alone—a question whether children of a tender age should be allowed to work in these factories an immoderate length of time, so as to retain the appearance of health, when they were actually so crippled in their limbs as to be unable to maintain themselves in after-life. He considered it to be highly desirable that this question should be brought to a satisfactory issue, and that with as little delay as possible.

INCREASE OF THE REGIUM DONUM.] Colonel *Conolly* rose to present three Petitions from Parishes in the County of Donegal, connected with the Synod of Ulster, praying that an equal amount of the Royal bounty, or Regium Donum, should be paid to each minister of the Synod, by endowing them with a stipend of 100*l.* a-year each. He admitted that, as his proposition went to equalize the stipends of the ministers by increasing the lower class up to the rate of the higher, it would occasion an additional expense of 7,000*l.* a-year; but coming as it did from a very peaceable, orderly, and loyal class of his Majesty's subjects, he did hope that it would receive the attention of Government. The hon. and gallant Member was proceeding with his remarks, when he was interrupted by

The *Speaker*, who inquired if the hon. Gentleman had obtained his Majesty's Assent to the prayer of these petitions. If he had not, there was an informality which would prevent the reception of the petitions, as they prayed for a grant of money. He would take that opportunity of stating to the House, that a petition which contained the same prayer, and which had not received the Royal Assent, presented on a former evening, had been the object and extent of the prayer not having been fully explained to or understood by the House.

The *Chancellor of the Exchequer* was not at all surprised that the petition presented on a former evening had escaped the vigilance of the Speaker; for, as the Speaker could not see the petition until after it was presented, he must of course depend for all his knowledge of its contents upon the hon. Member's word who presented it. This petition prayed for an equalization of stipends, which certainly might be effected by reducing the higher stipends to the same level with the lower; but that he believed was not the object of the petitioners. Indeed, the hon. and gallant Member had frankly admitted that he intended to effect the equalization, not by reducing the higher, but by raising the lower stipends. He was intrusted with a certain power on the part of the Crown, by which he could give or withhold its assent to the presentation of petitions of this nature, which involved an increase of the public burthens. He thought that the House would agree with him that, if he gave his assent to the presentation of such a petition, that assent ought to imply an acquiescence in the prayer of it, and ought to be followed by a recommendation to the House to grant it. He was bound to say, that though he could bear willing testimony to the respectability of the petitioners, to their high character, to the important services which their ministers rendered to their respective congregations, and to the country at large, yet, when there was made to him on a sudden, without any opportunity of deliberation, a proposition on their behalf, which involved a perpetual increase of an annual grant, he could not venture to say at once that he would accede to it. Those who recommended the lasting increase of an annual estimate of this nature, were bound to lay before the House the extent of the congregations to which those ministers belonged, and other facts, which must occur to the mind of every Member who then heard him. He had not had an opportunity of inquiring into any of these circumstances; and he knew, besides, that this application, if it were acceded to, would be followed by similar applications from other bodies, who now received a portion of the Regium Donum. For instance, there were seceders from the Synod of Ulster, whose ministers were paid out of that fund. This subject had not been brought under his notice until after the meeting of Parliament. He had not, therefore, had time to give it due deliberation; and as it was full of extensive details, he hoped he should meet the support of the House when he said that he felt it his duty to withhold his assent from the petition.

Colonel *Conolly*, under such circumstances, had no other course but to withdraw the petition.

Petition withdrawn.

The King of Belgium.] Mr. *Robinson* said, that as the right hon. Baronet at the head of his Majesty's Government was in his place, he would take the liberty of putting a question to him. He would ask, whether since last year, when he had put a question to the late Government respecting the income granted by Parliament to Prince Leopold, now King of Belgium, any money had been paid into his Majesty's Exchequer, on account of that illustrious personage—what was the amount of money paid in, if money had been paid in—and whether the right hon. Baronet would have any objection to lay on the Table an official account of the payment of money so received? He asked this question now, because the Chancellor of the Exchequer, when he asked it last year, gave him to understand, that after the 1st of April, in the then next year a large sum would be paid into the Exchequer on the part of his Belgian Majesty.

The *Chancellor of the Exchequer* said, that a payment had been made into the Exchequer, in consequence of the conditional resignation by the king of Belgium of the annual pension formerly granted to him by Parliament. That payment amounted to 4,000*l.*, but he understood that the trustees appointed by King Leopold were prepared to make an additional payment, and that it was only owing to the absence of some of the trustees, whose signature was necessary to authorize the payment, that that payment had not been already made. He believed that the payment to which he had alluded would be made very shortly, and that arrangements would be entered into for the purpose of securing the appropriation of it at regular periods in future to the objects for which King Leopold had destined it. He had no objection to lay an official account of this payment on the Table of the House, but, for the reasons which he had already stated, the House would see that that account would lead to a very erroneous conclusion.

Mr. *Robinson* was so disappointed by the answer which he had just received, that he begged leave to make a distinct Motion for a return of the monies which had been paid in.

Mr. *Hume* suggested that, after the statement of the right hon. Baronet that certain impediments of form only had caused a delay in the payment of an additional sum into the Exchequer by the trustees of the king of Belgium, it might be as well if the hon. Member for Worcester withdrew his Motion for the present, in order to bring it forward again in a few days.

At a later period in the evening the following explanation was given by

Lord *Stanley.* The trustees entered upon the discharge of their duties in June last, having declined to act till certain liabilities and incumbrances were at an end. The right hon. baronet was correct in stating, that in addition to the amount already accounted for, there was a very considerable sum now lying at the banker's, and which would be paid into the Exchequer as soon as the signatures of all the trustees could be obtained, it being necessary that the whole body should sign an order for payment. The right hon. Member for Coventry (Mr. E. Ellice), who was one of his trustees, was not at present in the country, but the moment he returned the transfer would be made. During the three-quarters of a year that the trustees had been acting, the balance that accrued was something more than 27,000*l.* In the course of the present year he anticipated that the amount carried to the public credit would not be less than 34,000*l.* Next year the payments out of the annuity would be diminished by 3,000*l.*, on account of the rent of Marlborough-house; and in a year or two he supposed that the public would receive 40,000*l.* out of the original 50,000*l.*

Mr. *Robinson*, after the satisfactory explanation offered by the noble Lord, felt no hesitation in withdrawing his notice of Motion on the subject.

TRIAL BY JURY IN VAN DIEMEN'S LAND.] Mr. *Hume* said, that, in presenting a Petition from an individual of the name of Thomas Cooke, now residing in Van Diemen's Land, his object was not so much to create discussion, as to call the attention of his Majesty's Government to a subject which interested the inhabitants of that colony in particular, and the Members of that House in general. The petitioner stated the precarious condition in which British subjects were placed in that colony, owing to their being left without the protection of British institutions, and called the attention of Government to various acts committed by the Lieutenant-Governor, which the petitioner denounced as arbitrary and oppressive, and contrary to the real interests of the colony. The petitioner further stated, that he had every reason to believe that the Lieutenant-Governor, Colonel Arthur, had received from the late Government orders to institute Trial by Jury in Van Diemen's Land as it existed in England, but that he had refused to put that order in force. He further stated, that there were 20,000 free persons in and near Hobart town, in which place he resided, capable of acting as Jurors. He knew the interest that was felt on this subject, both in England and in the colony; and when he recollected, that in the Bill which the House had passed three years ago, for the better government of New South Wales, a clause had been inserted enabling the Judges, instead of military Juries, to empanel a Jury of civilians, he saw no reason why a similar provision should not be extended to Van Diemen's Land. That clause had given great satisfaction in New South Wales. If the Ministers did not introduce some measure of their own on the subject before the end of the Session, he should certainly bring forward a Motion for the purpose of obtaining for the inhabitants of Van Diemen's Land those institutions and those privileges which had been productive of so much benefit to the inhabitants of the mother country.

Mr. *Thomas Gladstone* observed, that as the petitioner had produced no evidence to support his allegations, the House ought not to deal with them as if they were convinced of their correctness. At present, he believed that the law entitled Judges to grant a Trial by Jury in all civil cases. It was only in criminal cases that Trial by Jury was not granted. The noble Lord at the head of the Colonial Department was inclined to think that Trial by Jury might be introduced in some criminal cases in Van Diemen's Land. In New South Wales it was granted in all cases, except where the party to be tried, on account of local or private prejudices, thought that it would be for his interest to be tried by a military tribunal. He thought that a similar provision might safely be extended to Van Diemen's Land.

Mr. *O'Connell* had paid great attention to the subject, and he felt bound to say that he had never met with one single case in which the parties preferred a military trial. The introduction of Trial by Jury had given the utmost satisfaction in New South Wales; surely, there could be no valid ground of objection to its introduction into Van Diemen's Land.

Mr. *Henry Lytton Bulwer* said, that two years ago the noble Lord, the late Secretary for the Colonies had stated, that such an arrangement was about to take place, and he was much surprised to find that these orders were only now put in force. He hoped the right hon. Gentleman would gratify many persons who were in anxious expectation of the improvement being effected by taking into consideration the subject of some modification of a legislative assembly for this colony.

Petition laid on the Table.

COLLEGE OF PHYSICIANS — RECTOR OF ST. MARGARET'S.] Mr. *Wakley* wished to ask two questions of the right hon. Baronet at the head of the Government. The first was,—"Have any new regulations been made by the College of Physicians respecting the admission into the college of Scotch graduates in medicine?" And the second was,—"Are the inhabitants of the parish of St. Margaret, Westminster, to have the right of electing their Rector, now that the emoluments of a prebendal stall in Westminster Abbey have been attached to the emoluments of that living?"

The *Chancellor of the Exchequer* would endeavour to answer the two questions of the hon. Member, though they must appear to every one who heard them rather unconnected. He did not know whether the new regulations to which the hon. Member referred were the regulations by which it was proposed to admit Dissenters into the College of Physicians; but if they were, he was given to understand that those regulations had met with the approbation of the College. The state of the practice of the College was this:—In order to get a license to practise as a physician, an individual must have resided at an University for a certain number of years. What was now proposed was, to dispense altogether with the necessity of residence at the Universities in persons applying to become licentiates of the College of Physicians, and instead of residence and degrees, a certain form of examination and attendance in medical schools would be required. Persons passing this examination, and complying with the rules of attendance, would be qualified to become licentiates and fellows of the College, so that those individuals who might be educated at the Universities would have no preference over others who had attended the course of study referred to. With respect to the other question, whether the Minister of St. Margaret's should be appointed, he did not exactly know whether the hon. member meant "appointed by ballot." ["*No.*"] Well, then, appointed not by ballot, but by the general election of the inhabitants; with respect to that question, he informed the hon. Gentleman that it was not intended to call on the parishioners to elect the Minister, the Crown would appoint him.

NEWSPAPER PROSECUTIONS.] Mr. *Herbert Curteis* wished to put a question to the Solicitor-General, which was of great importance to some of his (Mr. Curteis's) constituents, and to the public generally. He begged to ask the hon. and learned Gentleman, whether he meant to bring in a Bill to indemnify newspaper proprietors, who were at present liable to heavy penalties for omitting to mention the residences of their printers and publishers, as well as their names, and the places of printing and of publication? He believed several informations had been laid for 100*l.* penalties, to a great extent, for breaches of the regulation in question. Would the hon. and learned Gentleman bring in a Bill with a retrospective clause to protect the parties from the consequences of such informations? It became a serious matter when it was considered that a proprietor of a newspaper was liable to a penalty of 100*l.* for each copy of his journal published without the residence of the printer and publisher being duly specified.

The *Solicitor-General* stated, that an application had been made to him on the subject, and his answer was, that if the parties committed the offence inadvertently, and there was no wilful violation of the Stamp Act, he would not object to bring in a Bill for their relief, to which he thought Parliament would consent; but, before he could do this, he stated that he must know under what circumstances the act had been violated, and how the informations were laid; in fact, he required information on the subject, but he had not received it. If the hon. Gentleman thought he could substantiate cases of great hardship arising out of the existing state of the law in this respect, he should be happy to aid him, or any other Gentleman, in the preparation of a Bill to remedy the evil; and if they were not prepared with any measure, to suggest one himself.

Mr. *Herbert Curteis* said, the subject was one of great importance, and he trusted he should be excused, if he said that he was determined to press it upon the consideration of the Government, the penalties being so enormous. At Brighton there were three or four papers, and the residence of the proprietors was well known, yet under a particular clause of the Stamp Act the parties might be subjected to an immense amount of penalties. The result of enforcing the law as it now stood would be the ruin of many newspaper proprietors.

Sir *John Campbell* said, that the penalty was incurred by omitting the residence of the printer and publisher of the newspaper, although their names were inserted. In many instances, the place where the paper was printed had been duly given, but the residence of the printer and publisher had been incautiously omitted. For this the parties were amenable under the statute, and a number of scandalous pettifogging suits had been commenced for the recovery of very heavy penalties. In cases of this sort, it appeared to him that the parties were entitled to some protection.

The *Solicitor-General*, speaking for himself, should have no objection to give it in all instances where it could be established that the law had been infringed through inadvertence. What he wanted was, that the parties claiming protection should make out that they deserved it. The penalty was certainly heavy, especially when it was recollected that it was incurred on every publication, perhaps for a year together.

The *Chancellor of the Exchequer* thought that Parliament, or those who introduced the Bill, ought to bear a part of the blame, if blame were imputable anywhere, for the scandalous and pettifogging suits of which the hon. and learned Gentleman opposite had spoken.

The Conversation was dropped.

SINECURES.] Mr. *Hume* adverted to the recommendation of the Committee on Naval and Military Sinecures, that as vacancies occurred, they should not be filled up; the late Government had rigidly adhered to this rule, and he wished to know whether the present Ministers meant to adopt the same course. He made the inquiry because he saw that a new Captain of Sandown Castle had been recently appointed; the salary was only 40*l.* a-year, but he objected to it upon principle.

The *Chancellor of the Exchequer* believed that some sinecures had fallen in since the accession of the present Ministers, and he could answer that the same course would be pursued by them as by their predecessors. In appointing a naval officer to be Captain of Sandown Castle, the Duke of Wellington had fulfilled the intentions of the late Board of Treasury, that the post should not be occupied by a military officer; and while the jurisdiction of the Cinque Ports was continued, the Captain of Sandown Castle could not be dispensed with. The salary of 40*l.* was not sufficient to pay the expenses of the situation.

Mr. *Hume* repeated, that he objected to the principle, not to the amount.

ORANGE LODGES—IRELAND.] Mr. *Finn* rose to put the question to the right hon. Gentleman opposite (the Secretary of State for the Home Department) which he had been desirous of asking on the preceding evening. In order that the nature of his question might be clearly understood, he would state to the House the grounds upon which he put it. In the "Court Circular" of the 26th February, 1835, the following statement appeared :—Viscount Cole presented 182 addresses from the Orangemen of Fermanagh, two from Mayo, and one from Manor Hamilton, declaring their loyalty and attachment towards his Majesty, and thanking him for the late exercise of his prerogative."—"Mr. Leicester, M.P., from the Orangemen of the county of Cork."—"Earl of Roden, four addresses from the Protestants of the counties of Down and Waterford, belonging to the Orange Institution, thanking him for dismissing his Ministers." The question he wished to ask the right hon. Gentleman was this: had those addresses been thus presented to his Majesty from these bodies styling themselves Orangemen; and had his Majesty and his Majesty's Ministers consented to receive those Addresses? The latter question was, of course, involved in the former.

Mr. *Secretary Goulburn* really could not speak to the facts, upon which the hon. Gentleman had grounded his question. He had always understood that when persons waited on his Majesty, at the usual levee days, with addresses, the course was to put the addresses into the hands of his Majesty, and then to withdraw. Certainly, he could not inform the hon. Gentleman whether the addresses, to which he alluded, were accepted in any other than the usual manner.

Mr. *Ronayne* begged to ask the right hon. Gentleman whether he himself had not, within the last few weeks, received officially addresses from professed Orange Lodges in Ireland, to be presented to his Majesty, and to which he (Mr. Goulburn) had returned an answer, that the same had been most graciously received by his Majesty.

Mr. *Secretary Goulburn* replied, that since he had been Secretary of State for the Home Department, he had followed the rule respecting the presentation of addresses, which he found adopted by his predecessors. That rule was, that when persons forwarded to him addresses to be presented to his Majesty, he presented them accordingly, provided there was nothing unbecoming in the language in which they were couched, or objectionable in their general character. Certain addresses had, he admitted, been lately presented by him to his Majesty, in which the persons signing them, described themselves as belonging to Orange Societies, and others had been presented by certain persons describing themselves, as members of Trades' Unions. In such cases, no other answer was given from the Throne, than that the Address of A.B., &c. had been received. No notice was taken in the answer, of the designation which the persons might have given themselves in the address.

Mr. *Ewart* begged to ask whether those Trade Unions were legal or illegal unions? He apprehended if the Dorchester labourers, who were convicted last year of being members of an illegal Union, had, as such members, sent an address to the Crown, it would have been the duty of Ministers to advise the Crown to refuse the acceptance of that address. It was therefore material, on this question, to know whether the cases were parallel?

Mr. *John Stanley* begged to ask the right hon. Gentleman, whether it was the practice for the Crown to return an answer to an address, in terms expressive of the gracious manner in which it had been received?

Mr. *Secretary Goulburn* said that from all the inquiries he had made, he believed that the course which had been pursued with respect to the addresses in question, was the same as was pursued in all other cases; but what were the express terms of the answer on this occasion, he could not tell. The reason why an address was not objected to, on account of the designation of the parties, provided there was nothing objectionable in the matter and manner of the address itself, was, that otherwise the Secretary of State would be under the necessity of investigating every case where the persons signing the address gave themselves a particular description, before he could present that address to the King. He certainly considered, that in what he had done, he had acted according to the usual mode.

Lord *Morpeth* reminded the right hon. Gentleman that in 1831, the Duke of Wellington refused to receive an address, because the parties to it described themselves to be members of a political union.

An *Hon. Member* begged to ask the right hon. Gentleman, whether he, as Minister of the Crown, considered an Orange

Lodge to be legal or illegal; and whether he thought it right to offer an address from an illegal society to his Majesty?

Mr. *Secretary Goulburn*, after a pause, said he thought what he had already stated, was sufficient to convince the house that the answer given to these addresses was a mere matter of form, and implied no recognition of the legality of the societies to which the individuals belonged. The addresses were acknowledged, not as addresses coming from societies, but as coming from individuals.

Mr. *John Stanley:* Perhaps the right hon. Baronet, the Chancellor of the Exchequer, could tell him whether, when petitions were presented to the Throne supposed to originate from unrecognised societies, it had ever been the practice to add, to the acknowledgment of such petitions, the words "graciously received?"

The *Chancellor of the Exchequer* could not exactly answer the question of the hon. Gentleman. He apprehended that a great deal must depend upon the language of the petition. ["No, no!"] A great deal must depend upon the language of the petition. ["No, no!"] Language might be used in a petition to the Throne, coming from a body, calling itself a political union, or a trades' union, of such a nature as might alone justify a Minister in refusing to present it; but he apprehended that a petition coming from a trades' union would not on that account alone be refused by the Minister. He had himself heard discussions in Parliament, on the occasion of the Speech from the Throne having denounced political unions, whether the House of Commons would be justified in receiving petitions coming from such unions, and the sense of the House was, that they ought to be received. ["No, no!"] Did the House uniformly reject petitions, because they professed to come from political unions, or from persons calling themselves members of a political union? With respect to the addresses presented to his Majesty, he apprehended that it would be a most painful duty to be imposed, either on his Majesty or his Ministers, to refuse receiving those addresses, on account of the presumed illegality of certain acts performed by the persons who signed them. The rule ought to be to widen, rather than contract, the avenue, by which the people might approach the Throne. He was certain that that was the principle upon which the House would act. On the part of the Crown he would say, "You must apply your principle uniformly." If the House of Commons did not inquire too narrowly into the character of the parties who petitioned it, nor undertake to presume the illegality of bodies signing petitions, it was but natural that his Majesty should receive petitions from his subjects, without a very minute inquiry into the particular societies from which they came. Then, with respect to the exact nature of the answers of the Crown to parties addressing it, they were but mere matters of form. Indeed, no actual answer was given, for the words amounted only to an acknowledgment that the addresses had been received. He did not exactly recollect what the rule was, but the usual terms, he believed, were that the petitions or the addresses (as the case happened to be) had been graciously received. At all events, he was sure that it was a good rule to pursue, unless they were always to assume that the petitioners or addressers were members of an illegal body.

Mr. *John Stanley:* The effect of such an answer was this—that it was considered as a recognition, by the Crown, of the legality of the society to whom it was addressed. He wished to know whether this was the fact.

The *Chancellor of the Exchequer* hoped not. It was but the recognition of the act of an individual, or of individuals. It was, in short, holding this language to the party—"I will not debar you of your right to approach me as an individual, because it happens that you belong to a society I disapprove." That was a very different thing from saying, that the society was a legal body.

Mr. *Sheil* asked whether the right hon. Gentleman, the Secretary for the Home Department, would have any objection to lay before the House a copy of the answer, given by the Duke of Wellington to the Political Union when it addressed the Throne, and also copies of those answers which he has himself given to the addresses of the Orange Societies? The House would then be able to ascertain whether the answer of the Duke of Wellington, was founded upon the title of the address, or upon the matter contained in it. The right hon. Gentleman had met one objection by stating that the rejection of a petition might be founded on the matter, and not the title of it. But the objection of the Duke of Wellington was not to the matter of the petition, but to the body from whom it came, it being a body not recognised by law. Certainly, it had ever been held, that secret societies were not legal, and he might appeal to many hon. Gentlemen on the Ministerial side of the House, to say whether Orange Societies were secret or not.

Mr. *Secretary Goulburn* had no objection to lay any one or all of the addresses on the Table, if the hon. and learned Gentleman wished.

Mr. *Sheil:* And the answers?

Mr. *Secretary Goulburn:* And the answers returned by me.

Mr. *Sheil:* And, also, by the Duke of Wellington?

Mr. *Secretary Goulburn* did not know whether he could undertake to produce the answer of the Duke of Wellington.

The *Chancellor of the Exchequer* observed, that there must be some mistake as to the time when the answer was said to have been given by the Duke of Wellington. The Duke left office in November, 1830, and during the Administration of his noble friend, he was Secretary of the Home Department, so that he did not conceive that the Duke of Wellington could have returned any answer at all.

Mr. *Shaw* said, it appeared to him unnecessary to raise the question of the propriety of receiving petitions from certain societies in connexion with addresses to the Crown; for he recollected that that question had been repeatedly raised and discussed in the House on previous occasions. Petitions had been presented to the House from individuals describing themselves to belong to Orange lodges or political unions, and their reception having been objected to, it had been distinctly laid down by the Chair that a petition professing to come from a society in a corporate capacity—from a political union, for instance—could not be received. But when a petition was presented from individuals stating themselves to be members of any particular society, the House had not thought it necessary to inquire into the nature of the society, but had received the petition as coming from the individuals by whom it was signed. He was in no way connected with Orange or any other societies, but he must say, in justice to those Orange societies, that it had never been decided that they were illegal. Their illegality had been asserted by certain individuals, but there was no pretence for saying that it had been established by law. He was surprised that hon. Gentlemen were so impatient to raise this Question. He had no doubt, that many opportunities would be afforded them during the present Session, to discuss it thoroughly.

Mr. *O'Connell* admitted that no judicial decision had been pronounced as to the legality or illegality of Orange lodges. But for what reason? Because of the difficulty of obtaining evidence as to the nature of those lodges. But he believed it would not be denied that more than one judge had expressed an opinion of their illegality; and he knew that more than one witness had protected himself from disclosing the nature of Orange lodges, from revealing the oaths of secresy which the members of those lodges swore, and the signs by which they recognised each other, by the plea that he was not bound to give answers which would criminate himself, and the court in such a case had ruled that the witness was not bound to answer the questions put to him. He knew, that among the upper classes of Orangemen the oath was not taken. [Mr. *Lefroy.* Nor among any class.] On the contrary, he could prove that the lower orders of Orangemen still continued to take the oath. The Statute Law of Ireland declared any society illegal which had any secret oaths, tests, or declarations. Now, no one he thought would assert that a man could enter an Orange lodge without giving a test by which he might be known. It would be recollected that Alderman King refused at the bar of that House to disclose what that test was, because he was bound to secrecy by an oath. Therefore, the existence of secret tests was established beyond all doubt. He recollected that in a Committee of the House of Commons in 1825, a whole chapter of scripture was read as forming the oath of the Orangemen. But the correctness of that representation was denied by Mr. Brownlow, himself an Orangeman, who admitted that a portion of the chapter was read at the Orange clubs, but denied that the following words, which formed part of the chapter, were read—"Thy foot shall be wet with the blood of thy enemy: the tongue of thy dog shall be red with the same." These words were in the same chapter, if not in the same verse, with those which it was admitted were read in the Orange Associations; and they could not fail to furnish a very happy stimulant to Christian charity to those gentlemen who administered the Government of Ireland, at a time when Orangeism was so much encouraged as it was at present—when the last appointment of chairman to quarter sessions was that of a young gentleman, a nephew of Lord Farnham, and when the Lord-Lieutenancy of the county of Meath was given to the hon. Mr. Plunkett, a candidate at the last election, and whose nominator was a declared Orangeman. It was high time, then, that the country should know precisely what Orangeism was. There was no doubt of this, that Roman Catholics could not be Orangemen, and he would put it to the Government whether it was right to give protection or countenance to societies from which all Catholics, without exception—from which such men as Lords Fingall and Killeen (who certainly could not be charged with being agitators) were excluded, merely on account of their religion. Such societies certainly ought not to be encouraged; at all events, when addresses to his Majesty came from them, the Minister of the Crown had a right to know what was the nature of their secret oaths and tests, in order that he might be enabled to form an opinion with respect to their legality.

The *Chancellor of the Exchequer* thought the main question after all was this—did the Crown mean by returning the answer to the addresses presented by the Orange Societies, to give any sanction to those societies, or to declare an opinion that exclusive confederacies, whether legal or illegal, bound together by secret oaths and declarations, were societies that ought to exist; he had no hesitation in saying, that by a compliance with a mere matter of form, or by the inadvertent use of an expression, it was not the intention of the Crown, or of Ministers to encourage any exclusive confederacy, or to imply an opinion that such a confederacy was lawful.

Sir *Henry Hardinge* did not intend to discuss the question of the legality or illegality of Orange lodges, but he rose to notice the charge made by the hon. and learned Member for Dublin against the Irish Government, of being influenced, in making appointments, by a desire to encourage Orangeism. Now, he would ask the hon. and learned Member whether he meant to assert that the appointment of Sir E. Sugden to the Chancellorship had been induced by such a feeling? In the next place, he would inquire who was the present Attorney-General in Ireland? [*Ironical cheers from the Opposition.*] He did not think that the noble Lord opposite would join in cheers, and hon. Members on the other side ought to recollect that that learned gentleman had been employed by the late Whig Government.—Did the hon. and learned Member for Dublin quarrel with the appointment of Mr. Serjeant Pennefather, as Solicitor-General? Was not that learned gentleman highly eminent in his profession? With respect to the appointment of assistant-barristers, he could only say that he had, on the part of the Lord-Lieutenant of Ireland, requested the legal advisers of the Crown, whenever any vacancy occurred, to make out a list of the applicants, placing their names according to their legal merit. Mr. Robinson, the individual to whom the hon. and learned Member had referred, had his name placed very high on that list (he would not say whether first or second), and neither he nor the Lord-Lieutenant was aware, that that individual was connected with Orange societies. He believed that he was not so connected, and he knew that he was no relation of Lord Farnham. With respect to the appointment of the hon. Mr. Plunkett to the Lord-Lieutenancy of the county of Meath, he could assure the House that the first person from whom he had heard of that appointment was the hon. and learned Member for Dublin. He was prepared to defend every appointment made by the present Government, and he could declare that it was the serious intention of the Lord-Lieutenant of Ireland to make all appointments, and legal ones especially, with the utmost impartiality, and with reference only to the merits of the individuals, the efficient performance of the duties assigned to them, and the welfare and prosperity of Ireland.

Mr. *O'Connell* admitted, that for his statement respecting the hon. Mr. Plunkett he had no authority but the newspapers. As for Mr. Robinson, the other individual to whom he had alluded, he had certainly imagined that he was the nephew of Lord Farnham. He was, however, agent to Lady Farnham.

Mr. *Anthony Lefroy* said, that he did not at present intend to discuss whether or not the Orange society was a legal one. He earnestly hoped that this, which was the true Question at issue, would soon be brought fairly before the House, as he had no doubt it would appear that it was as legal as it was a loyal society. The very fact that Orange processions were put an end to by an Act of Parliament, whilst the Act recognised the society itself, was a strong indication that it was not considered an illegal one. But his purpose in rising was, to give the most direct and unqualified contradiction to the assertions of the hon. and learned Member for Dublin, in all of which, as respected the Orangemen, he had endeavoured to mislead the House, as much with regard to the legal appointments in Ireland and the connexion which had existed between Lord Farnham and Mr. Robinson. The hon. and learned Member argued that the addresses ought not to have been received as coming from "an illegal society associated by oaths." That they were so associated he denied. He admitted, that originally Members did take an oath, but the moment this practice was declared to be contrary to law, the Orangemen, true to their principles, and steady in their respect for the laws, abandoned their bond of union, and nothing was now requisite for being eligible than the reputation of being a good Christian and a loyal subject. This test, indeed, might exclude some persons who complained that they could not become Members, and they might so continue to complain till the improvement of their principles entitled them to such an honour; he would only further add, that he trusted English Members would not be misled by the false accusations, and calumnious attacks that were frequently made upon the Orange body, by certain Members of that House, though they were not always contradicted at the moment by himself or his hon. Friends; as this arose, not from acquiescing in them, but from preferring to treat them with contempt, rather than to occupy the time of the British Parliament, which might be much more profitably employed than in refuting unfounded charges.

Mr. Serjeant *O'Loughlen* was surprised to hear Orange societies lauded in that House, even by Gentlemen on the other side. In addition to what had been stated by the hon. and learned Member for Dublin, he would mention an occurrence which had taken place in the metropolis of Ireland since the formation of the present Administration, which he thought would satisfy the House of the accuracy of the statement made by the hon. and learned Member, of the countenance given by the Government to Orange clubs. In December last a meeting took place in Dublin of the Orangemen of the county and city. At that meeting the Lord Mayor presided, and one of the most violent speeches was delivered by Mr. M'Cleary, who, in the course of his harangue, read some verses, probably of his own composition, every stanza of which concluded in the following manner—

> ——— "Our hope is the Lord on high;
> Then put your trust in God, my boys, and keep your powder dry."

And every time these words were repeated, the meeting were described as raising a shout by way of chorus. Within one short month after this disgusting exhibition, the lord Mayor, who so presided, was honoured by the company of the Representative of Majesty in Ireland, at the Mansion House, attended by all the officials of his Government. Now, if the Government did not mean to patronize the Orange faction in Ireland, the Lord-Lieutenant and his Secretary would not have attended that dinner. He put it to the sense of the House whether any institution at which such sentiments as those he had alluded to were uttered, could be tolerated as not being essentially injurious to the peace and prosperity of the country; and whether, instead of being countenanced by the Government, it ought not to be immediately put down.

Sir *Henry Hardinge*, after having been so personally alluded to, felt it necessary to make one observation in reply to the hon. and learned Gentleman. He assured the hon. and learned Member, that the Lord-Lieutenant and the Chief Secretary for Ireland had something else to do than merely read the songs that any person might sing at public meetings. Until this moment he never heard of any such song having been sung; and he appealed to the House, whether, because on the 9th of December, before either the Lord-Lieutenant or himself was appointed, a person chose to sing a song before the Lord Mayor, which they might disapprove of, both he and the Lord-Lieutenant were to be precluded from paying that respect which was due to the first magistrate of the city of Dublin. The hon. and learned Gentleman must have an extraordinary idea of the law, in accusing them of countenancing a party faction, because, in the observance of that courtesy which had always been shown to the chief magistrate, they had attended a dinner at the Mansion-house. He repeated, that he had never heard of the song; but if he had, he should not consider that the Lord Mayor was never to be visited by the Lord-Lieutenant, because a person had been imprudent enough to sing such a song before him.

Mr. Serjeant *O'Loughlen* begged to set the right hon. Gentleman right. The lines he had quoted, were not only part of a song—they expressed a sentiment, and were attached to every verse. It was the sentiment which he considered most objectionable and indecent. The right hon. Gentleman might not have been aware of the fact before; but he certainly ought not to have remained in ignorance of it.

Mr. *Ronayne:* The right hon. Secretary had challenged inquiry into the conduct of the Irish Government. He would ask that right hon. Gentleman to look about him, and glance at two of the Privy Councillors he had made. He did not mean to say that these two individuals were themselves members of Orange Societies; but they were the recognised friends and supporters of that system in Ireland. The right hon. Gentlemen could not help knowing, that the hon. and gallant Member for Sligo, was an attached friend of the Orangemen, and he had been promoted by the present Government. He must also be aware that an office of high importance had been offered to Lord Roden, (the Grand Master of the Orangemen,) which he did not think fit—perhaps from delicacy, to accept. The very appointment of such persons in Ireland, was quite calculated to inspire the people of that country, with the notion that they were again to be handed over to Orangemen, and to be again oppressed by them, as they had been for the last quarter of a century. The hon. Member for the county of Longford, (Mr. A. Lefroy) seemed to think that the Orangemen had been hardly dealt with, and declared that they could not be deemed a faction. He would ask him this question, as he seemed to be perfectly initiated in their secrets:—Was it allowable to make any man an Orangeman who happened to be a Roman Catholic; or to make the son of a Roman Catholic an Orangeman; or could a man who married a Roman Catholic become an Orangeman? [" *Yes!*"] Well, be that as it might, notwithstanding the indignation of the hon. Gentleman, he would tell him that the people of Ireland regarded the Orange faction as a class that professed a monopoly of loyalty, and that so long as they were permitted to trample on the Catholics with impunity, they would be the obsequious servants of the Crown; but that when the King sent an individual to Ireland, to administer justice in that country with impartiality, they were quite ready to assail him with bludgeons, brickbats, and bottles. The Orange faction in Ireland had been—not inaptly—described as

> " A race of reptiles, raised in troubled times;
> Nursed in blood, and cherished in their crimes."

The *Chancellor of the Exchequer* thought himself justified in suggesting, that considering the nature of the subject under discussion, and the mode in which it had been brought before the House, the conversation had been sufficiently prolonged. Could he have given a better pledge of his entertaining an earnest wish and desire that the Government of Ireland should be conducted with the strictest impartiality, than selecting for the offices of Lord-Lieutenant and Chief Secretary, two such individuals as his noble friend (the Earl of Haddington) and his right hon. Friend near him (Sir Henry Hardinge)?—two individuals, not more distinguished for their ability and judgment, than for the consistency which they had eminently displayed throughout the whole of their political lives, in their constant and persevering advocacy of every claim of the Roman Catholics.

Mr. *Hume* considered it to be a notorious fact, that the right hon. Gentleman, the Secretary of State for the Home Department, had laid before his Majesty, addresses from bodies, which, even if they were not, strictly speaking, illegal, were so considered by the public at large, and whose objects could not be misunderstood. It used to be a general custom to publish in *The Gazette*, a list of all the addresses presented to his Majesty. That practice had been discontinued—he supposed, because the addresses for the removal of the present Ministers were in the proportion of about four to one, compared with those in their support. He had had the honour to be in company with the Duke of Wellington, on business, during the period of his holding the Seals of several offices, and he then inquired why the practice had been discontinued.

The Duke said that it had been considered proper to desist from publishing the addresses generally, and that the fairest course appeared to be to print none, either on the one side or the other. Now, this might be all very well; but the question was, whether, if they had all been published, Ministers would not have suffered from a comparison between those in their favour and those against them? besides, he wished to know, why the established rule had been departed from at all. If the statements which had been made were correct, the Secretary of State for the Home Department, might be as much the abettor of treason as the most popular Radical out of the House. He was decidedly of opinion that the view taken by the hon. and learned Member for Dublin was correct; that these were illegal societies, and that the Home Secretary, in presenting addresses from them, and returning answers thereto, was the abettor of what was illegal and improper. The right hon. Baronet had told them that no harm was intended. Was this any defence for the reception of such addresses, and returning gracious answers, calculated to encourage the idea that they had been favourably received? The point at issue, was, whether a public officer had been the abettor of an illegal society. This was quite enough, without going to Dublin in search of fresh topics of discussion. He did not think the right hon. Gentleman had given a sufficient explanation of the charge, which was one of a very serious nature.

Lord *Howick* entirely agreed with the right hon. Baronet, (the Chancellor of the Exchequer) that it would be much better to defer the discussion of the question until the right hon. Gentleman, the Secretary of State for the Home Department, should, in performance of his promise, have laid the King's answer on the Table of the House. His purpose in rising simply was to express the satisfaction with which he had heard the right hon. Baronet disavow, in the manner he had done, all desire to countenance or encourage the maintenance of those unhappy party divisions which had so long prevailed in Ireland. He confessed that many of the appointments which had been made by the present Government, taken in conjunction with some of the circumstances which had been adverted to on that side of the house—particularly that mentioned by the learned Serjeant (Loughlen)—did create in his mind an exceedingly unpleasant impression. Anxious as he had been—anxious as he always should be—that agitation, from whatever quarter it might proceed, should be resisted, and as far as possible, put down; he confessed he was extremely sorry to witness proceedings on the part of Government, which, by throwing some degree of suspicion on their impartiality and fairness, might tend to impede their efforts to restrain the agitation pursued by some gentlemen in that House, whose course they are much in the habit of reprobating. He repeated, that he was very happy to hear the right hon. Baronet so strongly disclaim intentions which some acts of his Government certainly had seemed to imply. He hoped that the discussion which had taken place that evening, irregular as perhaps it might be in some degree, would not be without very great and important advantages, in marking, as distinctly as he thought it had done, the sense of that House, that these Orange associations, which were the means of perpetuating party divisions in Ireland, ought not to be encouraged.

Sir *Robert Bateson* concurred with the noble Lord who had just sat down, in wishing that all party differences in Ireland were at an end. He wished to appeal particularly to English Members, when he requested the House not to be led away by the exaggerated statements they had heard. He was not, nor ever had been, an Orangeman. He was not a party man. ["*Oh!*"] He repeated it, he had never been connected with any party in his life; but he would say that the Orangemen of Ireland had been most falsely maligned in that House. An hon. Member opposite had spoken of them as reptiles: he should have thought the hon. Gentleman had too great a respect for his patron saint to suppose that there existed such a thing as a reptile in all Ireland. The hon. and learned Member for Dublin (Mr. O'Connell) had said that the Orangemen of Ireland were not Christians; and yet, on some occasions, that hon. and learned Gentleman had praised and commended them most highly, when he thought he could gain them over to his own purposes, and induce them to join in the outcry for the Repeal of the Union. When he and his party found, however, that they could not attain their end, then he turned round, and flung upon them every species of calumny and foul abuse his fertile imagination could dole out. These attacks were reiterated in that House, before English gentlemen perfectly unacquainted with the real state of the case; and enormities were heaped on the heads of the Orangemen of Ireland, utterly unfounded and untrue. These bodies were, in his opinion, kept up mainly by the agitation carried on in different parts of Ireland, by the hon. and learned Gentleman himself, to obtain the Repeal of the Union, and the separation of the two countries. He believed in his heart, that a greater number of Orangemen were associated together now, for the purpose of preserving the constitution of the country, and preventing its severance from this portion of the empire. He believed that if the hon. and learned Gentleman and his party, were to cease that baneful agitation which the noble Lord, the Member for Northumberland, had condemned, Orangemen would drop away of themselves. He believed their only object was self-defence, and self-preservation. [" *a laugh!*"] Hon. Members might laugh, but it did not disprove what he had said. An hon. Member had stated, that the addresses in question were treasonable, or that they emanated from a treasonable body. Why, what was their purport? They thanked his Majesty for having dismissed from the councils of his Cabinet the members of one Administration, and adopting another. If these addresses had prayed his Majesty to reinstate his former Cabinet, or to form one of the hon. and learned Member for Dublin and his party, they would have heard, he suspected, very little of their containing anything of a treasonable nature. It was not true that these Orange bodies were treasonable societies; it was not true that any oaths were taken by their members; he placed explicit reliance on the declaration made by his hon. Friend in this respect. He regretted to have trespassed at all upon the time of the House, but as a man wholly unconnected with party, and anxious only for his country's good, he could not sit still, and hear a body of loyal men, who had been the salvation of Ireland on more than one occasion, stigmatized without rising to enter his protest against such a tissue of unfounded and false accusations as he had heard that night.

Colonel *Conolly* was much obliged to the noble Lord, the Member for Northumberland, for the very dispassionate manner in which he had treated the subject. He had thrown oil upon the troubled waters, and calmed the irritation which it was sought to produce in that House. He could not patiently hear these calumnies uttered against a set of men combined only in their own defence. Unless they had combined, the events of the last four years would have left them neither property nor life. He said so distinctly; he said so of his own knowledge; he said so as a magistrate and a landlord. He maintained that the Protestant Orangemen of the north of Ireland had been the great bulwark which had resisted the treasonable language and dangerous practices of the agitators throughout the country. He could not restrain his indignation when he heard the appointment of his hon. and gallant Friend, the Member for Sligo, cavilled at, and objected to. There was not in that House—there was not in the empire—a more honourable or more upright man, or one better calculated to fulfil the duties of his station, or one whose appointment did greater credit to the Ministry who had selected him; no one was more highly estimated within the circle in which he moved than the gallant Colonel; his manly bearing, his upright conduct, and his daring denial of the misrepresentations made in that House, had very naturally brought upon him the indignation of those who pursued a very different course from that by which he was guided. He would speak to the question; the question was, — whether this loyal body was illegal; he hoped he should not weary the House, but he would not sit down until he had explained, or attempted to explain, the constitution of that body, and the claim they had to the support of every loyal man and well-wisher to the integrity of the empire. These charges ought not to be allowed to remain here; it was a much more manly and open way of proceeding to carry the war into the enemy's camp, instead of recognising, and allowing, he would say, in a great measure, the gross, indecent, almost treasonable, course pursued by the hon. and learned Member for Dublin and his party. Had the hon. and learned Gentleman ever proposed the King's health at a public dinner as the first servant of the Crown—he meant of the people? " Call ye that loyalty: endeavouring to disparage both the Crown and the Monarch in the eyes of his people?" Had anything that could be done to lower and disparage the Government, or assail all the authorities of the land in every possible way, been left undone by the hon. and learned Gentleman in the two last Parliaments? There was not one of the constituted authorities who had escaped his strong and marked vituperation. We are accused," continued Colonel Conolly, "I say we, for I will proudly identify myself with the honourable and loyal body of Orangemen, with a monopoly of loyalty. Why, what gives us that monopoly? To whom are we indebted for it? To those who take up the trade of agitation—to those who disparage all the constituted authorities—to those who speak disrespectfully of the Monarch, and outrage the laws by every possible method in their power—who delude the ignorant, and drive them to actual violence—who misconstrue the law, and hold out prospects of impunity to those who are ignorant enough to be misled by them —who wean the people of Ireland from their legitimate allegiance, and induce them to form notions that the Government of England is hostile to them, that they can get no justice from this Parliament, and that they must effect the separation of the two countries, before they can obtain it." He would not say before the British House of Commons, that such language was wilfully and designedly false; but he would say, that if Gentlemen on the other side of the House, had a mind to terminate the existence of Orangeism, let them forsake their own illegal combinations, and leave the country in a state of tranquillity. Allusion had been made by the learned Sergeant to the dinner at the Mansion-house, in Dublin. He (Colonel Conolly) had had the honour of being present on the occasion, and he declared that an entertainment less savouring of party, he never attended, anything more dignified or proper than the declarations of the Lord Lieutenant, and though the right hon. Gentleman was present, he would say of the Secretary for Ireland also, he never heard, he never listened to, language of a more moderate kind, and no allusion was made which could bear the construction sought to be put upon it. He was delighted to hear the manly declaration of the Lord Lieutenant that certain persons should meet with no tenderness at his hands; but that those who consulted their own personal interest and advantage, in promoting agitation, and driving the pauper and deluded population to acts of violence and outrage, should be treated as they deserved. No wonder that language like this, tending to promote the peace and welfare of society, should meet with the vituperation of some persons in that House.

Colonel *Verner*, as a member of a society, which he regarded as the saviours of their country, wished to say a few words. He could positively assure the House that the principle of that society was, to maintain the laws, to preserve the connexion with Great Britain, to protect property and life, and to defend the King. Such, he could positively declare, were the objects for which the Orangemen were embodied. He was not surprised that some hon. Gentlemen were opposed to Orange societies in Ireland; but he was surprised to find that others joined in the outcry; it was, however, only a proof to him how much that body was misrepresented in that House. If the society were such as it had been represented by hon. Members opposite, why was it that the hon. and learned Member for Dublin, had at one time preached conciliation to that body. He wished that hon. Members would bear those facts in mind. He could give his testimony, along with that of the gallant Colonel who spoke last, as to the entertainment given by the Lord Mayor of Dublin—that entertainment was intended as a mark of proper respect from the Lord Mayor to the Lord Lieutenant, upon his arrival in that country. It was stated that objectionable toasts were given at that dinner—he was aware that some of those were objectionable, in the opinion of hon. Members opposite; for amongst them were such toasts as "The King," "The Established Church," and "Sir Robert Peel and his Colleagues."

Subject dropped.

The House resolved itself into a

COMMITTEE OF SUPPLY.] The first vote was for the sum of 28,384,700*l.* to pay off and discharge Exchequer Bills.

Mr. *Hume* objected to its being passed without any explanation. The amount was a large one, and he considered himself justified in requiring some information on the subject.

Sir *Thomas Fremantle* explained that the vote was, for the purpose of discharging Exchequer Bills issued for the supplies of 1834 and 1835. The different periods for which they were issued, would shortly expire, and the usual course was, before they expired, to enable the Government to issue fresh ones. It was in strict accordance with the regular practice pursued every year.

The vote was agreed to, as was another vote of 621,500*l.* for the discharge of Exchequer Bills issued for carrying on public works.

The House resumed, and the resolutions were reported.

CHESTER CRIMINALS' EXECUTION.] On the Motion of Mr. *Jervis*, the House resolved itself into a Committee, upon the Bill for providing for the Execution of Criminals in Chester.

On the first clause being read—

The *Attorney-General* rose to propose an Amendment. Whatever might be the legal interpretation put upon the Act, it was certainly not the intention of those who framed it, that the duty of executing criminals for offences committed within the city should devolve upon the Sheriff of the county. Matters had, however, come to such a pass, that the Grand Jury of the county of the town threw out all bills for capital offences which might give their Sheriff the trouble of superintending an execution, and the Grand Jury of the county did the same for their Sheriff. It was, however, a great question whether this duty ought, in consequence, to be thrown on an officer like the Constable of the Castle of Chester, of little or no station, and of little or no responsibility. Nobody before this Bill was brought in ever dreamt of those functions being committed to that officer; yet the preamble of the Bill stated, that doubts having arisen whether the Sheriff of the county of the city of Chester or the Sheriff of the county should perform the duty of executing criminals for offences committed within the city of Chester, the Constable of the castle of Chester should execute that office. Hon. Members would, he thought, agree with him that a goaler, a mere subordinate officer, receiving a small salary, and removable at the pleasure of the Crown, ought not to have the responsibility of carrying the last penalty of the law into execution, which required to be attended with every circumstance that could impart to it the character of solemnity. Unless a great impression were produced upon the mind of the public by the execution of a criminal, the loss of life was hardly to be justified. He was not for extending the punishment of death—be was for abolishing it wherever it could be done with safety; and he thought it would tend greatly to lessen its effect if the infliction of it were to be left to a subordinate officer. There was something unseemly, also, in the gaoler of the criminal being his executioner. He was aware that in law, the Sheriff had the custody of the criminal's person; but it was not in fact under his charge, and the union of the two offices, which would be created by the Bill, would be most distressing to the feelings of the unhappy person to be executed. He proposed, therefore, that instead of saying that an act should be passed to remove doubts which had arisen as to the jurisdiction of the Sheriffs, the act should recite, that whereas the Sheriffs of the county of the city of Chester were by law liable and were used and accustomed to execute all criminals executed for offences committed in the county of the city of Chester, and whereas since the passing of the said act the said Sheriffs have executed such criminals, the said Sheriffs shall in future obey the order of the judge of assize, in the same manner as they before obeyed the order of the Court of Grand Session, with reference to such execution as aforesaid; and the sheriffs of the county shall in like manner be bound to obey the order of the judge of assize in respect to the execution of criminals convicted of capital offences committed within the county of Chester." He should be sorry to see the judges of assize deprived of the power of ordering, in a very large county, a person to be executed near the place where the crime for which he was to suffer was committed. His noble Friend the Chief Baron of the Exchequer to this day contended that the Sheriff of the city was liable to the duty which his (the Attorney General's) Amendment would declare belonged to him, and that duty had always been performed by him till somebody scanned the Act of Parliament with a curious legal eye, and discovered what was supposed to be a flaw in it. The hon. and learned Gentleman concluded by proposing his Amendment.

Sir *John Campbell* differed from his hon. and learned Friend opposite, as well as from the hon. and learned Gentleman by whom the Bill was introduced. His opinion was, that it would be better to abstain from legislating on the subject altogether, and to leave the question under debate to be settled by a judicial tribunal. The last trial had gone off on a technical point; but, no doubt, an opportunity would be afforded of having the point decided by a court of law. He should, therefore, move as an Amendment, that the Chairman do leave the Chair.

Lord *Robert Grosvenor* supported the Amendment moved by the hon. and learned Member for Edinburgh, (Sir John Campbell).

Mr. *Hardy* agreed with the hon. and learned Attorney General, that it would be most unadviseable to devolve the duty of executing criminals condemned at Chester, upon the Constable of the Castle. The Crown might at any time dispense with an officer of that description, and then the city would be left in the dilemma of having nobody to execute the sentence pronounced upon the prisoners confined in its gaol. He saw no reason why the practice which prevailed throughout the rest of the kingdom should be departed from in the case of Chester. Elsewhere the duty of executing criminals invariably fell upon the Sheriffs for the county. York castle was generally considered to be within the county of the city of York, but for legal purposes it was taken from the county of the city, and placed within the county of York. Why should not the same course be adopted with respect to Chester.

The *Solicitor General* thought it absolutely necessary that something should be done to prevent a recurrence of the distressing delay which had recently taken place in the execution of two criminals who had been condemned at Chester. It was also necessary that the Judges who presided at the assizes, held at that city, should not again be placed in the situation of having their orders disregarded. Yet such at present was the feeling between the Sheriffs for the county, and the Sheriffs for the county of the city, that in all probability, should the Judges again have the melancholy duty of pronouncing the last sentence of the law upon any unfortunate criminal tried at Chester, the order for the execution whether made upon the county Sheriffs or the city Sheriffs, would be refused by both. Under these circumstances, he agreed with his hon. and learned Friend the Member for Chester, that some declaratory act upon the subject was necessary; but, at the same time, he was far from thinking that the Constable of the Castle was the proper person upon whom to devolve the duty; in his opinion, it should be fixed either upon the Sheriffs for the county, or the Sheriffs for the city.

Mr. *Jervis* said, that as his hon. and learned Friends, the Attorney and Solicitor General had admitted the necessity of passing some declaratory act upon the subject, he should have no objection to withdraw that part of the clause which went to fix the duty upon the Constable of the Castle, and to adopt the words proposed by the Attorney General, provided that by so doing no further objection would be raised to the Bill.

Mr. *O'Connell* thought that that would be the most satisfactory course, after what had fallen from the two hon. and learned Gentlemen opposite (the Attorney and Solicitor Generals) nobody could doubt but that it would be improper to transfer the duty of executing criminals to the constable, who was a mere gaoler, he thought that the duty ought to devolve upon the Sheriffs of the county.

Mr. *Aglionby* thought it was the bounden duty of the Legislature, by a short declaratory act to take care that such a lamentable occurrence as had led to the present measure should not happen again.

Sir *John Campbell* would not oppose what appeared to be the general feeling of the House, namely, that to remove all doubt for the future, a declaratory act should be passed. He would, therefore, withdraw his Amendment, and support that proposed by the hon. and learned Attorney-General.

Mr. *Ewart* expressed his determination to support the proposition of the hon. and learned Attorney-General with the view of assimilating the practice as to the execution of criminals and the general liabilities of the sheriffs of Chester to that of other counties.

Mr. *Secretary Goulburn* supported the views of the Attorney-General.

The Committee divided on the Attorney-General's Amendment—Ayes 115—Noes 55—Majority 60.

The other Clauses of the Bill were agreed to—the House resumed, and the Report was brought up.

IMPRISONMENT FOR DEBT.] Sir *John Campbell* rose pursuant to notice, to move for leave to bring in a Bill "to Abolish Imprisonment for Debt, except in cases of fraud, and to amend the law of Debtor and Creditor." As the law at present stood in this country, power was given to any individual member of the community, over the liberty of another, who might, without the order of a judge, or the decree of any court, be deprived of his liberty, thrown into gaol, and subjected to the greatest, the most cruel extortion. This was a power not belonging to the ancient common law of the country, but which was introduced by statute long after the common law had existed, and which was not found in equal severity in France, or any other country on the continent. It was moreover a power, which, being lodged in the hands of all men indiscriminately, was in an especial degree liable to be abused. He would take the liberty of illustrating the nature and severity of the present law, by stating to the House a remarkable case which had recently come under his notice, and which was only a few days ago tried before the Lord Chief Justice of the King's Bench (Denman). In the course of the summer of last year, a foreigner of distinction, the Duke de Cadaval, arrived in this country, accompanied by his wife and family; after landing at Dover and proceeding to town, he took lodgings there. Shortly afterwards he received a letter from a person named Collins, which recounted great services done to the Duke, and intimating that his claims were considerable for these services. The Duke shortly afterwards received another letter demanding payment of the money alleged to be due, and threatening proceedings in case of non-compliance. The Duke was much alarmed, but not complying with the request, Collins swore an affidavit of the debt, stating it at 10,000*l.*, went downto Falmouth, and, accompanied by a sheriff's officer, arrested the Duke, giving, or promising to give, the officer 50*l.* for making the caption. The Duke being much distressed at the prospect of a gaol and separation from his family, and being a stranger in the country, agreed, under the pressure of these fears, to give the plaintiff 500*l.* as present payment, which sum he obtained from the Portuguese Consul, and actually handed over in sovereigns in a bag to Collins, to be permitted to go out of custody; and the terms were drawn up in the shape of an agreement, by which it was stated that the 500*l.* was part of a sum of 16,200*l.* which the plaintiff claimed, and the action was to proceed in its usual course as to the remainder. Subsequently the Duke, finding the fraud that had been practised upon him, brought an action against Collins, and had the satisfaction of recovering the 500*l.* so fraudulently extorted from him. Was not that a state of the law which demanded the serious consideration of the House, with the view of adopting some change which should give greater protection to the public. He could state to the House from the returns which had been made of the money spent in connexion with the present law of arrest, and proceedings consequent thereon, that there was the enormous sum of 300,000*l.* annually expended by the respective parties debtor and creditor. These funds, which ought to be distributed among creditors, were idly spent among sheriffs' officers and their followers. He would state another consequence resulting from the present law; the cruel creditor who disregarded the feelings of his debtor had the priority, and had thus an advantage over an indulgent creditor who had a reluctance to resort to harsh proceedings. The harsh creditor swept away the whole of the debtor's property, and those who exercised feelings of kindness and indulgence had no remedy left them. The law, therefore, operated as a bounty on harshness and cruelty. The remedy he proposed for this was to abolish imprisonment, but to compel the debtor to abide by the judgment of the court, unless, indeed, it should appear that he was attempting an escape, when he should be compelled to give security. This would deprive the creditor of an opportunity of committing an injustice on his debtor without diminishing his remedy. When he thus proposed to deprive the creditors of their present remedy by imprisonment, he would on the other hand propose to give them greater facilities against the property of their debtor. By the present law there was this difficulty in the way of creditors. Suppose a creditor at Liverpool wished to proceed against a debtor who was about to go abroad, he must send up an affidavit of the debt to London, which must again be sent down to the country, by which lost time the debtor may have escaped by the sailing of the vessel. He would propose as a remedy for this, that on an affidavit being made of the debt and circumstances, a magistrate on the spot should have power to grant a warrant against the debtor, whom the creditor should keep in custody until he could give security. According to the present law, be the debt ever so small, the debtor could be immured in gaol, and his liberty and exertions abridged, instead of being allowed to exert himself for its payment. His person might be enclosed within the walls of a gaol, but such imprisonment did not enable the creditor to get at the property of his debtor. The miserable consequence of this was, that our gaols were filled, the debtor became acquainted with vice and misery, and his mind was contaminated by the prison associates, with whom he was compelled to mingle. He would give the creditor, therefore, power to reach the property of the debtor, but not to inflict the evil he had described. There was another evil in the present law of arrest—it made no distinction between the honest and the fraudulent debtor. The unfortunate honest man who could not fulfil his engagements, was no better off than the man who could but would not pay. He should therefore propose that unless there was fraud, or the debtor refused to obey the judgment, or absconded, his person should not be molested; but if there were fraud, then the creditor should have the power to take the body of his debtor in custody. He was aware that creditors would not be willing to give up the advantage of arrest without an equivalent; by the present law a creditor only got indirectly at the property, but he would propose as an equivalent, speedy judgment—speedy execution; and that all the property should be taken for the satisfaction of the creditor. His first objection to the present law was, that in the case of bonds, bills, promissory notes, and instruments to which any one might have solemnly set his hand, there was great delay in proceedings when the creditor might need immediate execution. Why after a bond was executed should the creditor be put to the expense of a trial? He would propose that after a certain number of days the creditor should have the power of having an execution against his debtor. An objection might be made as to those accounts which were running as unliquidated demands and not secured by any instrument; he should propose that the creditor bring his action, and then, after verdict, have instant execution, in like manner as in a bond. He next proposed that the creditor should be enabled to compel the debtor to surrender his property. By the present law a debtor might be taken and imprisoned, but he had the privilege of taking lodgings in the Rules without the prison, where he might live despite of his creditors, and waste his substance which ought to be applicable to the payment of his debts.—And with respect to this there was this strange law, that if the debtor were possessed of property under 300*l.* he might be compelled to surrender it, but if above that sum, then he could not be made to surrender it; when, indeed, the very circumstance of the large sum rendered it more proper that the larger property should be made applicable to the payment of his debts. He would propose to give a power to the creditor to summon the debtor before a judge, and on cause shown, the debtor to be compelled to assign over a sufficient proportion of his property for the payment of his debts. By the law, as it at present stood, if a man were indebted to the amount of one hundred thousand pounds and became bankrupt, he could not be imprisoned unless fraud were proved against him; but when a man owed only 40*s.* he could be immured in a gaol and there kept, when the larger debtor escaped with impunity! he did not see why this should continue. His next measure was, that all the property of a debtor, property of every description, should be made subject to the payment of his debts. At present, if a debtor were possessed of ever so much money, it could not be taken by any proceeding. If a debtor possessed 10,000*l.* in Consols, or in bonds or bills, they being choses in action, could not be taken under an execution. If he possessed land, the creditor could only take one half, and, afterwards, another half of the remaining half, and so on; but he never could at once take the whole. Copyhold land was entirely protected from judgments, and he could see no earthly reason for the distinction. Thus, therefore, though a debtor might be possessed of large copyhold property, he could, if he thought proper, keep the whole from his creditors. He proposed that all funded property should be made subject to debts. Under the existing law, if a man possessed 10,000*l.* in the Three per Cents., he might go abroad, there receive his dividends, and leave his creditors unpaid. There was no law to prevent his doing so.

It was true, that a Court of Equity would prevent the transfer of property in the funds by a fraudulent creditor, but the might enjoy the full proceeds of his dividends with the most perfect impunity. He, therefore, proposed to make copyhold and funded property, and money, bonds, and bills, all liable to execution. He would make no distinction — he would make them all liable to the payment of debts. While thus looking to the interests of the creditor, he would not overlook those of the debtor. He would propose to allow him to make a *cessio bonorum*, without being driven within the walls of a prison. Suppose an unfortunate debtor was obliged to take the benefit of the Insolvent Act, though he be freed from arrest and imprisonment, yet all the property that he subsequently acquired was, by the present law, liable to the payment of his debts. He would propose that, if the property of the debtor were not sufficient to pay the whole of his creditors, he might, by a declaration of his insolvency, a surrender of his property, and an equal distribution, be enabled to procure a certificate of entire discharge, and be enabled to commence the world again unshackled by continued claims. Need he say the consequences of imprisonment were of the worst possible description? it was always pernicious to morals—a man never went into prison without being contaminated by the society he found there. The practice was productive also of this bad consequence, that the debtor, in the face of great expenses, was induced to collect monies and property of which he defrauded his creditors, for the purpose of maintaining himself in prison, and paying the expenses of his discharge. The returns made of the average amount of dividend paid upon the estates of all persons passing through the Insolvent Court, showed that those estates did not pay more than one farthing in the pound. And he felt quite sure, that if the debtor were, instead, declared insolvent, and his property promptly and equally distributed, the same debtor who paid under the present insolvent system one farthing in the pound, would pay a respectable dividend; and it might be allowed that, if the creditors were satisfied with the conduct of the debtor, they might give him a memorial or certificate of that satisfaction to enable him again to conduct himself in the world with credibility and success. So much for the debtor when honest in his transactions; but if a debtor should conduct himself fraudulently, then he would act contrariwise; and he thought it ought to be provided, that several things should, as against debtors, be declared misdemeanours, and be punished accordingly. He would have it declared a misdemeanour when a man absconded from his creditors; he would have it made a misdemeanour when a man refused to disclose his property after judgment; he would have it a misdemeanour for a man fraudulently to convey his property, or to dispose of it amongst his friends; he would also have it declared a misdemeanour for a man to contract debts without a reasonable prospect of paying them. When two or three persons acted together in accomplishing some fraud, they could be punished for a conspiracy; but when there was only one person, who, though he might pretend to be in affluent circumstances, and obtain on that ground a large quantity of goods, and dispose of them, yet—however absurd it might appear, and however criminal his conduct—there was no punishment for such injustice. He would propose to make such persons liable to punishment. Although a great change would thus be made in the law, he was of opinion that a considerable majority of the public was against the continuance of the present system. When the subject was discussed in that House, so far back as the year 1780, when Mr. Burke took a part in the discussion, that distinguished individual afterwards expressed his regret that he did not advocate a more extensive change. The learned Commissioners who had sat upon the inquiry on this subject, agreed that a change must be made. What he meant to propose was, that the subject should after the Bill was brought in, be referred to a Committee up stairs, who would be more competent to go into the important details than he could at that moment; and he trusted that his hon. and learned Friend, the Attorney-General would allow his name to be added to those of the other gentlemen, who might sit upon the Committee; and, for his part, he would willingly give the Committee his best attention on the various details which would be there better discussed. He knew the public took a deep interest in the matter—he had received hundreds of letters from all parts—he had received memorials without number, and deputations from different parties, which clearly showed that the public fully felt the importance of the subject. He hoped the House would allow him to introduce the Bill, and, on some early occasion, to read it a second time.

The *Attorney-General* took the earliest opportunity of declaring his approbation of the principle of the Measure of his hon. and learned Friend, to whose labours and talents he would bear a willing testimony. During the last Session of Parliament he had the honour of introducing a Bill which involved the first proposition of his hon. and learned Friend. He regretted that his hon. and learned Friend did not render his assistance in forwarding that Bill, as it would have allowed the public to judge of the operation of the principle then proposed to be carried into effect. He was satisfied that the best mode in these matters was to proceed gradually and carefully, because the commercial world would then rest satisfied that they were proceeding safely. It was not that he ever considered his measure of last session either as final or effectual as a whole, that he proposed it, but that the public might be the better able to judge of the principle by observing the operation and effect of a small part. He would state that, however strong a right society had to be protected in its dealings, yet he was of opinion that no man ought to hold his liberty at the mercy of another; and there might be introduced a clause in the affidavits holding to bail, that might effect this object. It was not fitting, neither was it the general spirit of our laws, that misfortune should be dealt with as a crime. We should not confound one with the other, nor should we allow crime to escape under the guise of misfortune. There was one thing, however, advanced by his hon. and learned Friend from which he dissented. He objected to the increase of our criminal code, which was sufficiently extensive. He was averse to multiplying crimes and offences, but with that exception he was generally in favour of the principle of the Measure then before the House.

Mr. *O'Connell* regretted that the Bill was not to be extended to Ireland; for it was founded on the clearest principles of justice. Alluding to the monstrous absurdities which existed in the present state of the law, he observed that the time was come to destroy them—not bit by bit, but in a wholesale way. There could not be a clearer principle than that misfortune ought not to be punished as a crime; and it was evident, therefore, that they ought to go the full length of abolishing imprisonment for debt,—always giving a remedy against fraud in the contracting of it. That remedy might be obtained by making the fraudulent debtor liable as for a misdemeanour, in which case he would be tried by a jury. He did not wholly concur with the hon. and learned Member for Edinburgh (Sir J. Campbell) in the propriety of releasing the debtor, who had given up the whole of his property, from any subsequent claims on the part of his creditors; indeed, he might say, that he doubted much whether any good effects had resulted from the system of granting certificates to bankrupts. The man to whom a debt was due ought to be under the protection of the Legislature equally with him from whom it was owing; he should not lose his right of requiring payment from his debtor because that debtor happened to fall into misfortune, but ought to have a claim upon the fruits of his debtor's industry until the debt was paid in full. He, therefore, begged to differ from the hon. and learned Gentleman as to the mode of what was technically called "whitewashing." He knew that cases frequently happened in Ireland where men who were discharged as insolvent debtors, took care to be in the enjoyment of their property after their discharge, in the name of some convenient relation. He repeated his regret that the Measure was not to extend to Ireland, and hoped that in the Committee means might be devised for securing that desirable object.

Mr. *Richards* said, that the Measure was one of the most important in its nature and its probable consequences, not alone to the mercantile but the landed interest of the country, which had ever been submitted to the consideration of the House. As a Member of the commercial class he conceived it to be his duty to state to the House and the country the disadvantages likely to result from its adoption, notwithstanding the odium he was certain such a course would entail on him. There were several things in the Bill which had his assent; the twenty-eighth clause for instance, which made landed property amenable for the amount of bond debts. By that clause in the course of a few years all the landed property in the kingdom would be under the jurisdiction of the Court; but of that he, as a mercantile man, could not reasonably complain if it was otherwise legal and constitutional.—The Bill was intitled "A Bill to facilitate the Recovery of Debts." It was true that facilities would be afforded for the recovery of one class of debts; but another of much greater importance would not be touched by it at all. The first clause proposed to give a summary power of entering on execution after the lapse of ten days, on an overdue bond or bill. As a commercial man he did not object to this either. The second clause—

Mr. *Ewart* rose to order. The hon. Member was discussing a measure in detail which was not as yet before the House.

The *Speaker* decided that the hon. Member was out of order.

Mr. *Richards* would assume, then, for the purposes of discussion that the Bill was substantially the same as that which had been before the House last Session. That measure gave a summary power of execution on the goods and chattels of the drawer or acceptor of a dishonoured bill of exchange after a period of ten days. Now, what would be the consequence of this clause? There was, it was well known to all commercial men, from two to four hundred millions sterling's worth of bills in circulation in these kingdoms, the majority of which were at two and even one month; but, he would, for the sake of argument, average them at three. This would give a sum of 1,200,000,000*l.* a year. Each of these bills went through three hands at least, the drawer, the acceptor, and the holder, which number, multiplied into the latter, gave 3,600,000,000*l.* per annum on the gross circulation.—["*Oh, oh!*"] He did not understand the nature of the cheer which hon. Members bestowed on it. It seemed rather equivocal, as if they doubted his statement, but he would refer to the hon. Member for Essex in confirmation of the fact, as well as to any other hon. Member acquainted with the commercial community of the empire. The power thus given to the holders of bills of exchange would have the disadvantageous effect of making no man draw a bill who had not ample means to meet it when it became due. If this were the case, how many bills would be drawn? How many of the Gentlemen who came from the sister isle would be able to sell their land, aye, their land even? [*Laughter.*] He did not mean to inquire invidiously, but he would wish to know of those hon. Members who indulged themselves in a laugh at his expense, how many of their bills would be drawn? But what he desired was to point out the effects this clause would have upon trade and commerce, and even on agriculture, If the number of bills in circulation at present were diminished by one half, as no doubt they would be if the measure had the force of law, the prices of produce of every description would be also reduced in the same ratio. Would hon. Members from the agricultural districts like to see their wheat 3s. a bushel in place of 5s. or 6s., its present amount? or would the manufacturer desire half his profits to be cut off, which would be the natural consequence? The law of arrest was proposed to be done away with unless the debtor had an intention to abscond, in which case the creditor would have the power of arresting him, but with the *onus probandi* of the debtor's intention lying on him. Such a clause would prevent all arrests, as every creditor would rather allow the fraud than risk an action. Therefore, the power contained in it was wholly nugatory. He was aware that it was not usual to enter on the details of a measure until it was regularly before the House; but his anxiety to disabuse the public induced him to depart from the established custom. It was a measure of false philanthropy, and one which injured the debtor as much as the creditor; because the debtor would not be able to get credit—and the creditor would not have the option of granting it. Though many parts of the Measure were entitled to the serious consideration of the House he thought, as an attempt to alter the present law of debtor and creditor, that, if carried into operation, it would have a most injurious general effect.

Mr. *Shaw* thought many of the observations of the hon. Member for Knaresborough entitled to much weight, but he did not think that, as a whole, they militated much against the form, or at all against the principle, of the measure. His object, however, in rising was not to enter on the Question, but to earnestly request of the hon. and learned Member for Edinburgh that he would include Ireland in its provisions. It was most important to the integrity of the empire that the law should be uniform in both kingdoms, and he hoped it would never be said, that a measure of such moment was applied to the exigences of the one country and refused to those of the other.

Mr. *Warburton* as a mercantile man engaged in business for a period of twenty-five years denied that there was any cause for the alarm which the hon. Member for Knaresborough had endeavoured to excite on the subject of the Bill of the hon. and learned Member for Edinburgh, not alone among the commercial, but among the agricultural classes. During his connexion with trade he never found the least facility for the recovery of debts in the power afforded him by the law of arrest. The surest plan he found to be inquiry into the character and condition of his customers. He could anticipate nothing but good as the result of this measure if carried into execution. Though the hon. Member for Knaresborough appeared to deprecate any reduction in the amount of paper afloat—and he must certainly have known that a great quantity of it was valueless—did he mean to state that a reduction in the amount of bad paper which was just what his argument proved, would be an evil to the community? Did the hon. Member think it no advantage for a creditor to possess a power over the copyhold property of his debtor, which the Bill proposed to place in his hands? The effect of the measure would be to banish bad bills out of the market; and if it did only that, it was entitled to the support of every hon. Member who held the welfare of the community as a thing worth consideration.

Mr. *Hawes* said, that no dealer at the time he gave credit contemplated any advantage derivable to him in the way of recovery of his debt from the law of arrest; therefore in as far as it affected that part of the question it was nugatory. The mode of doing business at present adopted in large commercial houses very much increased the circulation of paper, because small sums, which heretofore were considered as book debts were now paid by bills at a short date. Should no facility for separating the good from the bad in the enormous quantity of these necessarily afloat be offered the trader? As a man of business and a trader himself he felt bound to bear the fullest testimony to the advantages offered the trading community by the principle of the Bill of the hon. and learned member for Edinburgh.

Mr. *Pease* did not think the amount of human misery, either among the artisans, the tradesmen, or the farmers, would be much reduced by this measure, and he deduced his reasons from an inspection of the operation of the Courts of Requests upon these classes of the community. Notwithstanding, the Insolvent Debtors' Court was so odious that he should willingly support any measure which would have the effect of getting rid of it for ever. He could not, however, shut his eyes to the probable consequences of some parts of the measure.

Mr. *Rolfe* supported the Bill. Though the hon. Member for Knaresborough had paraded his information and put himself forward as a mercantile authority against the Bill, he (Mr. Rolfe) could tell him it was founded upon information as full and as practical in its character as any which he possessed. It was founded on the Report of the Commissioners, before whom were examined hundreds of tradesmen and persons deeply interested in the question. The result of their testimony was the measure in the shape in which his hon. and learned Friend the Member for Edinburgh proposed to introduce it to the notice of the House.

Leave given and the Bill was brought in and read a first time.

DIVISIONS.] Mr. *Ward* rose to call the attention of the House to some mode of giving publicity to correct and authentic Lists of Divisions. He thought that all hon. Members must be interested in devising some better mode than that which existed at present, of making the public acquainted with the votes on divisions. The practice now pursued of publishing the names of the Members of that House, furnished, as they were, by some individual Members of it, was, in his opinion, attended by all the evils which could possibly result from the authentic publicity of them, and by none of the advantages which, he was satisfied, would follow the adoption of the mode of taking the votes which he meant to suggest. The names of Members were, at present, sent to the newspapers, after a division had taken place, without the sanction of the Speaker's authority, and without being placed on the votes of the House; and the only manner in which hon. Gentlemen could correct the mistakes, which, of necessity constantly took place under this system was to throw themselves upon the courtesy of editors, and to beg of them to rectify the errors which were committed. He recollected to have seen in *The Times*, no fewer than five letters in one day's paper, and nine upon that of the following day, all complaining of the mistakes which had been made in reference to one division. He (Mr. Ward) also remembered the words which were used by the editor of that paper, upon the occasion alluded to, and they, as he thought, conveyed a just rebuke, and were to this effect—"We repeat, *usque ad nauseam*, that we are not responsible for the correctness of the Lists, which are furnished us. Why does not the House adopt some plan of giving them to the public in a correct and authentic form?" He did not think that there were any insuperable difficulties in the way of devising some plan, by which all the evils arising from the present mode might be completely obviated. He would not presume to lay any specific plan before the House, for its immediate consideration or adoption; but he thought that the divisions could, at present, be taken by means of cards or tickets, and afterwards published, with an authenticity and correctness, which would be equally satisfactory to the Members and to the public. Though he must admit, that the Committee which had been appointed upon this subject last Session, had recommended a plan which could not be adopted without great loss of time and inconvenience, still he did not hesitate to express his confident expectation, that the result of the proceedings of the Committee for which he intended to move, would prove more satisfactory. It was almost unnecessary for him to advert to the many inconveniences and mischiefs which occurred under the existing system; but he would just mention, that incorrect Lists of those who voted upon divisions were, during the late elections, frequently produced upon the hustings, and it was often found almost impossible to remove the impression, which had been thereby produced upon the minds of those constituencies to which he referred. He was aware that it had been objected to any alteration in the present mode of taking the votes upon divisions, that if any plan, such as that to which he had alluded, were to be adopted, the House would generally be too numerously attended, for the speedy and efficient disposal of public business; but he considered that a very untenable ground of objection, inasmuch as even though there were, in consequence of the adoption of some plan different from that which now existed, a fuller attendance of Members than at present generally took place, the change would, at all events, have this advantage, that thin Houses, which he could not help thinking were great promoters of loquacity, would, for the future, be prevented; and that no Member would venture to address a full House, without being master of the subject which he wished to bring under its consideration. The hon. Member concluded by moving for the appointment of a Committee to take into consideration the best mode of giving correct and authentic Lists of the Divisions of the House.

Mr. *Ruthven* merely wished to say, that, in his opinion, nothing could conduce more to the gratification and advantage of the constituencies throughout the kingdom, than that authenticated lists of the votes of the Members of that House should be given to the public. He feared, however, that it would be difficult to discover any means of obtaining the desired object, but he was glad that the hon. Member had brought the subject under the consideration of the House.

The Motion was agreed to, and a Committee appointed.

COURT OF SESSION—SCOTLAND.] The *Lord Advocate* said, the Motion which it was now his duty to submit to the House was intended to carry into effect the recommendation contained in the Report of the Commissioners appointed under a Royal Commission to inquire into the Courts of Law in Scotland. The first point to which the Bill he sought to introduce would apply, was the saving in the expense to suitors in the Court of Session, which would be effected by the reduction of the number of clerks and other officers, and by an arrangement of fees. The present expense of that court was, now 32,000*l.* per annum, and by the reduction of the clerks and other officers from eighty-one (the number at present) to forty-six, the expense would be reduced to about 17,000*l.*, thereby lessening the number of officers thirty-five and effecting a saving to the country of about 15,000*l.* annually. This saving coupled with those which had been made by him on former occasions, would make the annual reduction of expenditure in respect to the Courts of Law in Scotland altogether amount to about 51,000*l.* He could not entertain a doubt but that with this statement he should have the sanction of the House for the introduction of the Bill of which he had given notice. The hon. and learned Gentleman concluded by moving for leave to bring in a Bill, "for making certain alterations and reductions in the establishment of clerks and officers attached to the Court of Session in Scotland, and to diminish the expense of judicial procedure in that Court."

Mr. *Robert Wallace* then observed that the measure which the right hon. Gentleman sought to introduce could not fail of being gratifying to every person connected with Scotland. He would, however, submit to the learned Lord that the saving of 15,000*l.* a-year of which he had spoken, ought not to go to the Consolidated Fund, but to the benefit of suitors in the Courts of Law in Scotland. A further saving might be effected by the reduction of the fees chargeable in all the Scotch Supreme Courts.

Mr. *Murray* said, that while he condemned some measures which had heretofore been introduced for regulating the Supreme Courts in Scotland, he considered that on the present occasion, the learned Lord opposite was performing a very great, useful, and important duty. The country was deeply indebted to those who had issued the Royal Commission from which the proposed measure of relief originated, and to the learned individuals who as Commissioners had executed it. He thought the hint thrown out by the hon. Member for Greenock highly deserving attention, for it was not to be disputed that the fees in the Court of Session especially were not only much too heavy, but that they were a great impediment to the course of public justice, and he trusted that the learned Lord would, in any measure he might bring forward, keep in view the necessity of a diminution in the expenses in all civil causes.

Mr. *Cutlar Fergusson* hoped the proposed Bill did not in any degree refer to points upon which the Commissioners had yet to report. He concurred in the opinion that no country had so much reason to complain of the expenses of law proceedings as Scotland, and he had ever regretted that the provisions of the Bill carried through Parliament by Mr. Home Drummond, for the reduction of the expenses of Sheriff's Courts in Scotland, had not been extended to the Court of Session. The present Bill, as he understood, only effected a reduction in the number and expenses of the clerks, and was silent upon the subject of fees.

Leave given.

IMPRISONMENT FOR DEBT—SCOTLAND.] The *Lord Advocate*, in moving for leave to bring in a Bill for Abolishing in Scotland Imprisonment for Civil Debts of small amount, for rendering more available the process of *cessio bonorum*, and for restraining the arrestment of wages, observed, that the measure would not require so much explanation as that which had undergone so much discussion that evening—he alluded to the Bill which the hon. and learned Member for Edinburgh had obtained leave to introduce referring to the same subject in England. As in Scotland there was no such thing as arrest in civil cases before judgment, except in certain circumstances, it would not be necessary to embody in his Bill so many provisions as would be required in that to which he had adverted. He hoped the House would concur with him in making the experiment in the Abolition of Imprisonment for Debts of small amount, and in limiting it to debts of 8*l.* 6*s.* 8*d.* The returns which had been made to the House showed that in the course of the five years previous to 1833, no less than 12,652 persons had suffered imprisonment, and of this number 7,166 were confined for debts under the sum he had mentioned, and of that portion no less than 3,117 were confined for debts under the sum of 2*l.* sterling. It would, therefore, be seen, that though limited, the relief afforded by this measure would be considerable, inasmuch as it would abolish greatly more than one-half the number of persons confined for debt. With respect to the Amendment contemplated as to the process of *cessio bonorum*, he need only say, that the necessity of an action by the creditor in the Court of Session to obtain that process would be obviated, and the debtor would be enabled to appeal for relief to the local Courts of the Sheriffs, instead of, as now, to the Court of Session. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. *Cutlar Fergusson* would rejoice if

some provision were included in the proposed measure, that matters of small debt should be tried before the Sheriff, instead of, as now, before Justices of the peace, who he ventured to say, never gave satisfaction to litigant parties, while on the other hand, the Sheriff seldom failed to do so. He also thought the Sheriff ought to be empowered to hold his Courts at more places in his county, and that these officers, generally Barristers of standing, should try more cases themselves, instead of transferring them to their Sheriff's substitute. It would also be necessary to simplify the forms of procedure in the Sheriffs' Courts, for under Mr. Home Drummond's Bill it was still necessary to adopt all the cumbersome form of summons, condescendence, &c., which was requisite in the procedures of the Supreme Courts. The examination of witnesses under, and by virtue of, Commissions issued for that purpose ought, in his judgment, to be abolished, and all witnesses should be examined *vivâ voce* before the Sheriff himself in Court.

The *Lord Advocate* said, that the other Bills, of which he had given notice, touched upon some of the points to which the right hon. Gentleman had adverted, but unless it was intended that the decision of the Sheriffs' Courts should be final, the *vivâ voce* examination of witnesses could not be adopted. To retain the Court of Session as a Court of Review, the evidence must be taken in writing for the information of that Court, and this could only properly be effected by the present mode of examination.

Leave given.

HOUSE OF LORDS,

Friday, March 6, 1835.

MINUTES.] Petitions presented. By the Duke of GORDON, from several Parishes in Aberdeen, Ross, and Roxburghshire, for Extending the Established Church in Scotland.

EDUCATION IN IRELAND.] The Earl of *Roden*, seeing the noble Duke in his place, was anxious to put a question to the noble Duke, which he would no doubt be kind enough to answer. Knowing the extreme anxiety that there was, not only among the Protestants of Ireland, but among the great mass of religious communities in this country, with reference to the subject of Education in Ireland, he wished to ask the noble Duke whether it were the intention of the Government to propose this year an estimate for the National School in Ireland; and if so, whether the amount of that estimate would be an increase upon that which was proposed last year?

The Duke of *Wellington* said, that it was the intention of the Government to apply to the House of Commons for the grant of a sum for the support of the National School in Ireland; and that that sum would be greater than was asked last year, on account of providing for the expenses of certain buildings.

UNIVERSITY OATHS.] The Earl of *Radnor* rose to move for certain returns respecting Oaths taken at the Universities. In order to explain something of the object he had in view, and likewise to defend himself against an attack that had been made upon him, he should feel it necessary to preface his motion by a few observations. In the course of the last session of Parliament, a bill had been brought to their Lordships, from the other House, upon the subject of these University Oaths. That Bill was thrown out upon the second reading. In the course of the discussion that then took place, a good deal was said on both sides on the subject of the nature of these University Oaths. He had given notice, a day or two after that Bill was thrown out, that he should bring in a measure relating to subscriptions and tests, as well as oaths at the University. Having given that notice, he had been induced to turn his attention to the subject; and the more he looked into it, the more serious in its consequences did it appear to him to become. He should probably, therefore, make a separate measure of that which related to Oaths applied as tests at the University; for the more he examined it, the more he was convinced that the subject of these Oaths required to be reviewed. In the course of the discussions, he had alluded to something of a personal nature which had occurred, which he must be pardoned if he now remarked upon. He felt strongly upon it at the time, but he should dispose of it now very shortly. One of the right reverend Prelates, in answer to an observation that he feared that some of the young men who took these oaths on entering the University must commit perjury, remarked that he (the Earl of Radnor) must be the only perjured man in the University, as he did not appear to be acquainted with the statutes to which those Oaths related, and had not obeyed them; for he had not attended certain lectures, as they required him to do. He did not much feel that he was liable to the charge of perjury; for he believed that, in the case of Oaths of this kind, the perjury, if any, was not in the person who took an oath, the meaning of which he did not rightly comprehend, so much as in the man who compelled him to take it. But the right reverend Prelate should have been sure of his facts, before he brought such a charge against any person. If there was any guilt in his not attending the lectures it was the guilt of those who required him to attend the lectures, but gave no lectures at all. There was the *Epinomis,* too. He had been talking to several friends of his, men educated, like himself, at Oxford, on the subject of the *Epinomis,* and all but one of them said that they knew nothing whatever about it; that one said he certainly had heard the word, but never could comprehend what was meant by it. What, then, did the authorities at the Universities do, but call on boys of sixteen to take an oath, the nature of which they did not explain? If these persons did their duty, they would make a standing statute of the University, that these boys should become acquainted with the nature and meaning of the Oath, before they took it; or, at least, that they should construe or translate the *Epinomis.* He thought, however, that it would be better to get rid of the *Epinomis* altogether, for there might be very good reasons why young men should not be instructed in it; for, in his opinion, it opened the way to the easy committal of perjury, or at least it stated things that much shook the authority and sanctity of an oath. It made quibbles on the subject, which it would be just as well not to present to men's minds. It stated three cases in which a man might commit perjury. The first of these was one about which no man could doubt, namely, that if a man swore that he had done a thing, or that he believed a thing, when he had not done it, or did not believe it, he would be guilty of perjury. The second was, that those were perjured who swore that they would do something, but were not willing afterwards to submit to punishment for not doing it. That appeared to him altogether doing away with the value of an oath. If a man only bound himself to submit to punishment for not doing what he had sworn to do, the oath to do the thing was of no value whatever. A witness in a court of justice was sworn to speak the truth; but, according to the doctrine he had just stated, if the witness was willing to undergo the penalty for perjury, he was absolved from his oath. This doctrine was one of a most false and dangerous kind. The third of the cases stated was, where a man had incapacitated himself by any disobedience of the statutes from taking his degree; but against this it was said there might be dispensations. It, again, seemed to him most mischievous, that men should ever understand that there might be dispensations to absolve them from the consequences of the oaths they had taken. Then there were three chapters on dispensations. The first treated of ordinary dispensations; the second of dispensations to be granted by the great convocation; and the third mentioned cases, where no dispensations at all could be granted. It was curious enough, that those things which in the third chapter were treated of as incapable of being made the subject of dispensations, were now held at Oxford to afford the most ample ground for dispensations. It seemed, therefore, that there were three sorts of satutory dispensations very commonly, if not universally in use; and one of these was intrusted to the Chancellor of the University. He had no doubt that the noble Duke opposite was not in the least aware that as Chancellor of the University, he could give these dispensations, (which the *Epinomis* said could not be given at all) to every one about to take the degree of Master of Arts. Here was an instance. It was a rule, that before receiving that degree, a man should keep twelve terms; but it appeared from the Oxford Calendar, that only one of them was indispensable; and that three might be dispensed with by the convocation; and six more by the Chancellor's letter. The noble Earl here went into a statement relating to the keeping of terms, and the dispensations from them. An anonymous writer had attacked, in a very furious manner, those who said that these things were abuses; and had lavished some very hard epithets upon them, and upon him among the rest; but he was not to be deterred from conscientiously discharging his duty by such abuse. He proceeded, therefore, to call their Lordships' attention to the fact that the *Epinomis* actually declared guilty of perjury, all those authorities of the University who should presume to allow the statutes to fall into disuse, even through negligence alone. Having stated these things generally to their Lordships, he should move for a copy of the *Epinomis*, from the University of Oxford, together with an account of the Oaths taken at that University. His object was, to make some alterations in the laws of the University on the subject of Oaths. He believed that the noble Duke, since becoming Chancellor of the University, had desired to make some change of this sort; but that he had found that the body from whom he desired these changes to proceed, was not quite so easily moved as some other troops that he had had the command of. It was to be hoped, however, that they would consent to make the necessary alterations. It would be more for the good of the University, that such alterations should come from them than through the means of an Act of Parliament. This was, in substance, the return of which he had given notice, though the form of it was somewhat altered. With respect to the University of Cambridge, he only wanted one return—namely, the oath which was administered to young men on matriculation. They were sworn during the whole of their lives to maintain the honour and dignity of the University; an oath most improvidently taken, at the early age at which they generally entered themselves there. The noble Earl concluded by moving for Copies and Translations of all Oaths taken by Members of the University of Oxford, (excepting the Oaths of Allegiance, Supremacy, and Abjuration, as follows:

1. On Matriculation.—2. On taking the respective Degrees of Bachelor and Master of Arts.—3. On the Admission of Masters of Arts to their Regency.

Also, Copies and Translations of the Form used,—1. In petitioning for Graces for the Degrees of Bachelor and Master of Arts respectively.—2. In applying for, and—3. In granting Dispensations for the Degrees of Bachelor and Master of Arts, under Tit. ix. Sec. iv. § 2., Articles 1 and 4, and under Tit. x. Sec. v., respectively.

Also, Copy and Translation of the Chancellor's Letter for Dispensation, stating the Form and Mode of Application for, and the Manner of obtaining the same; and the average annual Number applied for and granted for the last Ten Years.

Also, Copy and Translation of the *Epinomis*.

Also, Statement of the Number of Degrees of Bachelor and Master of Arts respectively granted in the last Ten Years, under the following Circumstances:—1. Without any Dispensation whatever.—2. Without Dispensation under Tit. ix. Sec. iv. § 2. Article 1.—3. Without Dispensation under Tit. ix. Sec. iv. § 2. Article 4. —4. Without Dispensation under Tit. x. Sec. v.

And also, Copy and Translation of the Oath taken at Matriculation in the University of Cambridge.

The *Duke of Wellington* said, that the noble Earl having been so kind as to communicate to him the list of the papers comprehended in the motion which he intended to make, he had thought it his duty to consult those who were most interested in the inquiry which the noble Earl had thought proper to institute, and he had obtained the willing consent of those persons to the production of these papers. The noble Earl said, that he had altered the motion; still he had no objection to make the required return. But he did think that the noble Earl, having communicated the motion he intended to make, and having been informed that there would be no objection to it, he ought to have been also informed, by the noble Earl, of the noble Earl's intention to come down there, and make a charge against the University of Oxford, if it was his intention to do so at the period that these communications took place. The noble Earl said, that he was anxious to awaken the public mind to this matter of the University of Oxford, in order to influence the University by the expression of public opinion. In his opinion, the public mind was not likely to be influenced by one-sided discussions; but would wait till both sides were heard, when there was some one to make the charge, and some one prepared to answer it. He acknowledged that he was not prepared; and he was not because the noble Earl had not done him the justice, nor the University the justice, to state that he intended to come there, and make a charge against the University. There was not the smallest objection to the production of the papers. He should be perfectly willing to meet the noble Earl when the papers were produced—when he moved for his Bill, or after it was brought in; but he had not expected that the noble

Earl would take the course he had taken that day, and therefore he was not prepared with an answer. Under these circumstances, he could not do more than consent to produce the papers, which he did most readily.

The *Bishop of Llandaff* could make some answer to one of the charges of the noble Earl, as he had long been connected with the University of Cambridge. Knowing the candour of the character of the noble Earl, he thought the noble Earl would have abstained from making charges which involved the moral character of the men to whom they related, and which went to throw on them a stain of a very serious kind. The noble Earl objected to Oaths, which he said were administered to men at a time of life when they were not quite competent to decide what these Oaths meant, and to pledge themselves to things which they did not intend, and could not be expected to intend, to perform. Now the Oath administered was no more than this, that the young man would observe and keep the laws, statutes, and customs of the University. A copy of the statutes was delivered to the young man at the time he took the Oath, and the most superficial observer of these statutes could not look at them without seeing that they put an end to much of the serious charge brought against the University by the noble Earl. Some of the offences, there provided against, were to be visited with a fine of 8*d.*, some of 1*s.* 4*d.*, and some of a larger sum. A gradation of penalties like these, showed that the offence was not considered to amount to perjury. The offender was bound to submit to the punishment, for the disregard of the statutes, or else he would violate the Oath he had taken. But, besides this, annexed to the collection of statutes , given to each student, there was a declaratory law, which stated the limits of the obligation under which those, who took this Oath, were placed. All the writers on the subject of moral philosophy were agreed, that the measure of the obligation was not that which the mind of the man who took the oath put upon it, but that which was put upon it by him who proposed the oath. That was the opinion of Paley, and of Saunderson, in his celebrated treatise, *De Juramenti Obligatione.* The explanation of the meaning of the University Oaths, was drawn up by Bishop Saunderson himself, for the purpose, as it is expressly said, of satisfying tender consciences, and of pointing out to them the extent of their obligation. It might be better not to retain a form of words that required explanation, but the practice was not culpable, as it had been stated to be this night. It might, also, be culpable not to explain to each new comer, in the fullest manner, all that could be said on these Oaths; and he himself had always thought it his duty to explain to such persons, the sense in which they administered these Oaths; and whether his explanation was right or wrong, their consciences were clear. But the omission of this well-understood explanation, was not deserving of the serious censure expressed, with regard to the whole matter, by the noble Earl. Then, the noble Lord had attempted to assimilate the proceedings at the University, with what took place in a court of justice. He said, a man having been sworn to speak the truth in a court of justice, and having been punished with the pillory for not speaking the truth, was according to the rule adopted in the University, absolved from perjury when he had undergone the penalty. This was a very curious, but not a very accurate, view of the subject. If, indeed, the witness was told beforehand by the judge, that such was the meaning of the Oath, there might be some ground for the comparison.—In a court of justice, a man is sworn simply to speak the truth, but in the case to which the noble Lord referred it was openly declared that something was to be done, or, in default, a certain penalty was to be submitted to, by which means the offence of perjury was removed. Another of the noble Lord's charges was, the facility with which dispensation was procured for the non-performance of those duties which the oath rendered imperative.—Whether dispensations were too easily granted, was quite a different question from the guilt of perjury. It was to avoid perjury that they were granted ; but when he said this, he agreed with the noble Lord, that it would be better to repeal obsolete statutes, than to be continually dispensing with them as a matter of course. His great object, however, in addressing their Lordships was, to defend the moral character of those whose conduct was impugned. They were not considering what was most expedient with respect to the course which the University should adopt, but whether the individuals who were connected with the University, were guilty or not guilty of forsaking the duty imposed upon them by an oath. With regard to the last of the charges, which the noble Lord had supported by reference to a pamphlet, which he (the Bishop of Llandaff) had never seen in his life, if the noble Lord examined that pamphlet again, with more attention, he would probably find that that part of the system of which he complained, was perfectly consonant with strict observance of the statutes.—In conformity with the Oaths, certain degrees could not be taken, without certain exercises had been performed, unless a dispensation were granted in due form. Now, there was a chapter in the statutes, as to what was indispensable, and what might be dispensed with, by application to certain authorities. There was nothing ambiguous in this. On such and such points, proper reasons being assigned, dispensation might be granted, by the inferior body to whom the ordinary business of conferring degrees was intrusted. But other things could not be dispensed with by that body. These things were called indispensable—i. e. not *absolutely* indispensable, but indispensable *by them.* A higher authority must be called in, namely, the collective authority of the whole University, acting upon a recommendation from the Chancellor. The course was, to have the case submitted to the deliberation of the heads of houses. Then, a petition was sent to the Chancellor for his recommendation—which, being addressed to the Vice-Chancellor, and read in full Convocation, the dispensation was allowed to pass — the result was then made known. This was meant as a check to the grant of such indulgences. He understood, however, that in most instances, it was become a matter of course, and that the practice had been abridged ever since he had left the University—that blank forms, signed by the Chancellor were left to be filled up as the case might require. But it was not so in Lord Grenville's time. This was a subject, however, not for their Lordships' consideration. They were assembled for public purposes; and he should not therefore enter into private details of that nature, connected with the customs of the University. It was, however, a great deal too much for the noble Lord to say, that the young men at the University were so treated, that they did not mind the obligation of an oath. The public were told so, and he would say, that nothing could be more decidedly false, than such an assertion. He knew very well, that, thus taken by surprise, he had not done justice to the subject; but feeling, as he did, for the character of the University, and of those individuals who were closely connected with it, he could not avoid saying, that the charges of the noble Lord, as far as they related to the obligation of Oaths were utterly unfounded.

Lord *Brougham* said, he did not mean to accuse any of the authorities connected with the Universities; but he was sure their Lordships must feel with him, that the subject was worthy of serious consideration. He knew nothing personally of the University of Oxford; but he entirely objected to the taking of Oaths, when the individuals did not know to what they were binding themselves when they made an asseveration in the presence of God. In the first place, it was for their Lordships to consider whose fault it was that such a system prevailed, and, in the next, to look a little at the manner in which the Oaths administered in the University were kept. His noble Friend had been attacked, as if he had brought a charge against the University—as if he had brought any imputation against it—as if he had charged the University of Oxford with wilfully encouraging perjury. He had done no such thing. But his noble Friend having been charged last year, with somewhat of the guilt of perjury, he turned round and said, "So far from my being guilty, it is you who propound those Oaths with whom the guilt rests, seeing that they are administered without due preparation." His noble friend cast no blame upon individuals, but he blamed the system. The Oaths, it appeared, were taken as a matter of course. "The consequence," said his noble Friend, "is neither more nor less than this—that we are driven to the conclusion, that the oaths are more lightly dealt with than they ought to be." Now, what was the extent of this charge? Why, it went only to the extent which he had mentioned. His noble friend had brought up evidence in support of what he had said. He had pointed out in the statutes the denunciation of perjury against those who suffered the law to fall into desuetude; and yet it was clear that the law had in the instances pointed out been allowed to fall into desuetude. This, then, went to one of two things—those who had the care of those laws ought to keep them up; or, if they were totally unfit to be retained, then they ought at once openly and fairly and frankly to be repealed, instead of allowing them to remain on the book. When they saw that the statutes were not kept up, did not that circumstance clearly show that they were no longer applicable to the circumstances of the University; and that being the case, was it not evident that those oaths should no longer be allowed? He could not help considering the taking of oaths on such trifling occasions as extremely reprehensible. That the occasions were trifling he inferred from the circumstance, that 6*d.* absolved an individual for breaking one, 8*d.* for breaking another; and so on in gradation. Oaths ceased to be proper safeguards when they were so lightly treated. They ought to be reserved for the most solemn occasions—*dignus vindice nodus.* If a necessity existed for the intervention of an oath—if an appeal were proper to be made to divine justice, let it be done in the most solemn manner. It surely ought not to be resorted to in a case where a fine of 8*d.* would remove the charge of perjury; it should only be introduced with reference to the performance of duties that could not by any means be dispensed with. As to other oaths, they came within the same principle, with the exception that they were taken by adults in the course and practice of business, and the affairs of the world; whereas these Oaths prescribed by the Universities were taken with all the form and solemnity of oaths generally, although in quality, in reality, or in effect, they were unlike other oaths. He had always thought that voluntary affidavits made before Magistrates (affidavits in which, if such should be the case, perjury could not be assigned, though still such false swearing might be treated and punished as a misdemeanour), tended to bad effects, and to bring oaths into a sort of levity of dealing, and to remove the impression of those solemnities which should be flung around, and to fence so important an obligation. However absurd it might be to take voluntary affidavits, it was more absurd to make a boy take oaths which perhaps might be explained, but which were such a trifle that he could either keep them or not, for a penalty only of 6*d.* or 8*d.*

The Bishop of *Llandaff* begged to say, in explanation, that students did take a serious oath, to obey the authorities of the Universities.

Lord *Brougham.*—And to swear to keep the statutes.

The Bishop of *Llandaff.*—To observe the statutes.

Lord *Brougham.*—Yes, or to make the last an eightpenny matter, and in fact, and in substance, it was not, therefore binding. His (Lord Brougham's) opinion was, that it would be a most excellent thing to get rid of these Oaths, as well as others, which had fallen into desuetude, and to fix on Oaths required by law the denunciation, that to break them would be perjury.

The Earl of *Radnor* replied. In answer to what had fallen from the right reverend Prelate, he begged to say, that the first complaint or charge which he made against the University of Oxford was for not doing that which as the head of one of the houses the right reverend Prelate had stated he himself had always done—namely, that care was not taken by those to whom the education of youth was there intrusted to explain to them this form to which they were liable, and which he had mentioned. It was the duty of those so intrusted to make that explanation. The other complaint was, that in the University of Oxford there prevailed a far too great laxity in granting dispensations, and that degrees were granted by those means too readily, and in these two complaints he, as it seemed to him, had the perfect concurrence of the right reverend Prelate himself. The other practices to which he had alluded were not charges of his making, but charges made by the work he had mentioned, which stated that parties were perjured in certain cases. He, however, further contended, that under one chapter dispensations could not be granted. Their Lordships were aware that under the standing orders of the House a Bill could not pass more than one stage in one and the same day. It was true that in cases of urgent necessity this standing order was suspended, but should it become a practice that every Bill should be so treated, and perhaps progressed all its stages on the same day, what would their Lordships say to swearing, on the opening of the Session, to keep and observe the standing orders of the House? By such a proceeding their

Lordships would stultify themselves in the same manner as he contended the Universities did in matters of dispensation. The noble Duke opposite (the Duke of Wellington) had complained of want of candour on his part in this instance. The facts of the case were these:—When he had read his notice of Motion, the clerk at the Table asked him to furnish it, in order that it might be entered upon the notices. He remarked that it was probable he might alter it before the Motion came on, and when he spoke on the subject afterwards to the noble Duke, he had also mentioned the probability of an alteration in its form. He had certainly not told the noble Duke that it was his intention to preface the Motion with a speech, and when the noble Duke inquired if he sent down the terms of the Motion to the Universities and they assented to furnish the information, he had replied that in such a case he would make the Motion. Now, he was sure that when the noble Duke and himself formerly sat together in another place, it was deemed improper to submit a Motion without first laying some grounds for it. Under the impression that such a practice was to be followed in this House, he thought he had done sufficient to relieve himself from the charge of want of candour by putting the noble Duke in possession of the terms of his Motion, and also of his intention, under any circumstances, to make it. It had been also stated, somewhat in the tone of complaint, that owing to these circumstances there was a want of preparation now to meet the Question. He was surprised to hear this advanced, because scarcely twelvemonths had elapsed since the noble Duke himself had taken the oath to observe these statutes, and, besides the noble Duke, there were several Prelates who had taken them over and over again. He was therefore at a loss to know how want of preparation could be urged on the present occasion. Repeating his impression, that the only charges which he himself had made had been sanctioned by the right reverend Prelate who had addressed the House, he should conclude by expressing the satisfaction he felt that his observations on the subject had met with that right reverend Prelate's concurrence.

The Bishop of *Llandaff* said, that he assented to the observations of the noble Earl no further than to say that it would be much better that those statutes should be repealed, instead of dispensations being continued.

The Bishop of *Gloucester* said, that he should not have said a word on the present occasion had it not been that the noble Earl who had brought forward the present Motion had applied, last year, words to the University of Cambridge which he (the Bishop of Glocester) was disposed to think undeserved. The noble Earl had alluded to one Oath, which was to the effect that the party taking it would "protect and preserve all the honours, dignities, privileges, and immunities of the University, and defend them by his counsel and advice so long as he lived." The noble Earl had termed this oath first to be absurd, and, afterwards, to be wicked. He (the Bishop of Glocester) was himself so decided an enemy of all unnecessary oaths, that he should be disposed to join in the wish that this law of the University should be expunged as soon as it was proved to be unnecessary. Indeed, he might almost agree in the proposition that the Oath was unnecessary, upon the fact that though it had existed for many centuries, the instances of perjury on that head were indeed very few, for there had ever been found many ready to defend the honours; privileges, and rights of the University with which they had been connected. If this was wickedness, it was a wickedness which had extended over many ages, and yet many advocates had been found for the Oaths both of matriculation and the conferring of degrees.

The Earl of *Radnor* said, that he was in possession of the form of Oath, which had been sent him by a son who had recently entered the University of Cambridge, and he repeated, that if that University did its duty by those confided to its care, an attachment to its institutions would of course grow up with increasing years, but that to make a boy of sixteen years of age swear to impressions, and feelings to be retained all his life was, as he thought, absurd as well as wicked.

The Motion was agreed to.

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HOUSE OF COMMONS,

Friday, March 6, 1835.

MINUTES.] Petitions presented. By Mr. ANGERSTEIN, from Woolwich; and by Mr. BARNARD, from Deptford, —against the Weights and Measures Act.—By Mr. CUTLAR FERGUSSON, from Kilmarnock, for an Extension of the Established Church in Scotland.—By Mr. Hodges, from three Parishes in Kent, for a Repeal of the Malt Tax.

Outrages in Armagh.] Mr. *Dobbin* said, that in consequence of certain observations which had fallen from the hon. Members for Sligo and Armagh, he rose to move for a paper which—

Sir *Henry Hardinge* (interrupting the hon. Member) said, that the hon. Member had shown him a paper, for which he supposed he was then going to move. It contained an account of certain transactions which it was alleged had occurred in Armagh. The Government was pursuing an inquiry into those transactions; and, at the present moment it would be impossible to grant this paper without impeding the course of justice.

Mr. *Dobbin* said, that the investigations to which the hon. and gallant Officer referred, had, to his knowledge, been closed before he left Armagh. They were closed a month ago. He should, therefore, move that there be laid on the Table of the House a copy of the investigation instituted into certain proceedings at Armagh, which took place on the 5th of last November, between the Magistrates, the police, and the people; also a copy of the investigation instituted at Armagh into the proceedings which took place at Keady, in the county of Armagh, in collecting the tithes of that parish, in which one man was killed, and another wounded; together with a copy of the Coroner's inquest on the person killed. Also a copy of the investigation held at Armagh, into the proceedings which took place there on the 15th of January last, when several houses were destroyed, and fourteen belonging to Catholics in the town and neighbourhood were burnt by a body of armed Orangemen. His object in moving for these papers, was to show how far the lives of his Majesty's Roman Catholic subjects had been protected under the present Government.

Sir *Henry Hardinge*. I object to the hon. Member's bringing up this Motion. I object to it, because it is informal, as no notice was given to me that the hon. Member intended to bring it forward this day; and I object to it also, because it is likely to impede the course of justice. I can assure the hon. Member, that I shall have no objection to grant those papers which the Government may think proper; but I ask him to suspend his call for these papers, until I can learn whether the investigations to which he refers are completed. By the last accounts which I received from the Earl of Gosford, the Lord-Lieutenant of the county, it appeared that they were not completed, and any premature publication of the accounts would seriously impede the course of justice.

Mr. *Littleton* said, that the Motion of the hon. Member for Armagh contained three distinct Motions for papers relating to three distinct transactions at three different places. The first of them had reference to a transaction which had occurred during the time when he was in office in Ireland. That investigation was completed, and he could have no objection to placing the account of it on the Table.

Mr. *Dobbin*. I was present at all these investigations. I was present when they were finished, and when the papers were sealed up and sent to the Government.

The *Speaker* asked Mr. Dobbin whether he had given notice to Sir H. Hardinge of his intention to bring on this Motion today.

Mr. *Dobbin*. I sent him a copy of it.

The *Speaker* said, that as a strict matter of right, any Member of Parliament was entitled to bring on a motion without giving notice of it; but it had been found to conduce much to the convenience of hon. Members, and indeed to the convenience of transacting public business, to give notice beforehand of the day on which any Motion, that was not altogether unimportant, would be brought forward. Unless there were circumstances connected with this Motion of such urgency as to induce the hon. Member to think that they could not admit of delay, he would suggest to him the propriety of withdrawing his present motion, and bringing it forward on another day.

Motion postponed.

Magistrates of Carlow.] Mr. *O'Dwyer* presented a Petition from an individual of the name of Ryan Henessey, residing in the county of Carlow, and complaining of the oppressive treatment which he had experienced from certain magistrates in that county. The petition stated, that on the night of Saturday, the 24th of January last, after the petitioner had gone to bed, a driver belonging to Mr. Kavanagh, a Member of that House, accompanied by a party of police, knocked at his door, and stated that the priest of the parish wanted to see him; that the petitioner, on opening his door in consequence of this message, was immediately seized and handcuffed by order of the driver, and that he was then dragged to the guardhouse, where he was put in irons, and where he remained handcuffed during that night and the following Sunday. The petitioner further alleged, that he was arrested without any summons having been previously served upon him, and without any warrant having been issued for his apprehension. He also stated, that a person offered to become security for his appearance, but that on his inquiring of the Magistrate, who was a Mr. Doyne, what amount of security would be required, Mr. Doyne called him a ruffian, and threatened to send him to the county gaol. In conclusion, the petitioner alleged, that he could not expect justice from the Bench of Magistrates at Carlow, as Mr. Doyne was one of them, and with another constituted the whole Bench. He had to present another petition from Thomas Butler and his wife, complaining of the misconduct of the same Mr. Doyne.

Colonel *Bruen* begged to interrupt the hon. Member. The first petition presented by the hon. Member was not signed. There was only a mark attached to it, and it was not vouched by anybody that that mark was the mark of the petitioner. The authenticity of this petition should be established before it could be received, inasmuch as it contained allegations of a most serious nature against the character of a Magistrate. For his own part he did not believe that there was the slightest foundation for any of the charges which the petitioner had made against Mr. Doyne.

Mr. *O'Dwyer* said, that the petitions had come to him in the usual way, but in consequence of what had just fallen from the hon. and gallant Member, he must now add that they had come to him recommended and confirmed by a gentleman of unquestioned honour and respectability. For his own part, he firmly believed that every allegation in the petition could be substantiated.

The *Speaker* said, it appeared that the petitioner was not able to write, but that his mark was attached to the petition. Now, the question for the House to decide, was, whether the man was to be deprived of his right of petition because he could not write?

Mr. *Roebuck* said, that the signature of a petitioner was not a stronger proof of the authenticity of a petition than his mark would be. The House had no better means of ascertaining the authenticity of a signature than it had of ascertaining the authenticity of a mark. Why, then, should they place obstacles in the way of the poor unlettered man, who had already difficulty enough in getting his petition put into a shape in which it could be presented to them, when they removed the same obstacles out of the way of the rich man, who found no difficulty in petitioning?

Sir *John Campbell.* The petition is already signed, for a man may sign by his mark. That is admitted to be a signature in every Court of Law. You are bound to give credit to it as a man's signature, until the contrary is shown.

Mr. *Littleton* said, that to the petitions which had been received and printed last year there were the names of at least a hundred thousand marksmen attached. It was not many hundred years since Members on entering that House, made their marks, in consequence of their being unable to write their names.

Mr. *Ewart* observed, that what had been stated by the hon. Gentleman who presented the petitions was quite sufficient to authenticate them; and the objection which had been made to them ought not to enter into the equitable consideration of the House.

Mr. *Kavanagh* contended, that there ought to be some voucher to prove the genuineness of the petitioner's mark. If there were no attestation attached to it any man might libel the character of another in that House with impunity. He believed, that the allegations of the petitioner were all false, especially those which reflected on that respectable magistrate Mr. Doyne.

Mr. *O'Dwyer* thought that when the hon. Member for the county of Carlow rose, he was going to propose the appointment of a Committee to inquire into the charges which the petitioner brought against Mr. Doyne, the Magistrate. That would have been the most proper and manly way to meet the charge, and do justice to the petitioner. If the hon. Member would propose that course, he would undertake that every allegation in the petition should be proved. He had received the petition from a source of the highest respectability, and the House was bound to believe the allegations of it till they were disproved by some better evidence than mere assertion.

Petition laid on the Table.

Mr. *D. O'Dwyer* presented a Petition from Thomas Butler and Judith his wife, of the county of Carlow. The petition complained, that on Saturday, the night of the 24th of January, after they had retired to rest, a party of police, accompanied by the under agent of Thomas Kavanagh, Esq., a Member of that House, had called at their cottage, dragged them out of their bed and conveyed them to Borris, where they were kept in confinement the remainder of the night, and the whole of the following day; that Judith, one of the petitioners, was the mother of seven children, one of whom was dangerously ill; that she requested to be left with the sick child till morning, and promised to be ready at that time to meet any charge which might be preferred against her; that she was forced from the embraces of her children, and compelled to accompany her husband; and that she was imprisoned with him in a dungeon for the time already mentioned, on a charge which she did not know. The petition further stated, that when the reverend John Walsh inquired of the police serjeant by what authority he had arrested the petitioners, he replied that he had not had any warrant, but that he had arrested them on the order of Mr. Doyne, the Magistrate, and of Mr. Hawkshawe, the chief of the police. The petition added, that Mr. Doyne, was an agent of Mr. Kavanagh, at a salary of 80*l*. or 100*l*. a-year, and that he was harsh, vindictive, and oppressive as a Magistrate. He would not enter into a description of the other charges which the petitioners brought against Mr. Doyne; but the circumstances, if true, were of a nature to challenge the immediate attention of the Irish Government. As to Mr. Doyne, who was spoken of in this manner, he would mention one fact, which he had upon the authority of a gentleman to whom he was sure the House would give implicit credit—he meant Mr. Vigors, who represented Carlow in the last Parliament. Mr. Vigors had told him that he was an eye-witness to this circumstance. Two persons were brought before the bench, on which Mr. Doyne was sitting, as a Magistrate. One of them, a woman, was charged with having excited a tumult, and was sentenced to pay a fine of 20*s*. A warrant had been issued against the other, who was in Mr. Kavanagh's employ, for an aggravated assault. He was proved to have struck another person on the head with a stone, and for this he was fined 5*s*. Now, let the house mark the difference in the sentence on these two cases. The woman was fined 20*s*., who had committed no assault, and had been guilty of no actual breach of the peace, whilst the man was fined 5*s*. who had committed a savage assault, and had been guilty of a gross breach of the peace. But this was not all. This very respectable Magistrate, Mr. Doyne, who had adjudicated on the case, had had the indecency on the bench to pay the fine of the latter offender. He implored the House to consider what hope could the people have of justice from a bench of which such a Magistrate composed a part? He would not use delicate phrases on a subject like this; but he would openly call on the right hon. Secretary for Ireland, if he could obtain his attention for a moment, to investigate this transaction, and, if it were proved to be of the nature which he had stated, to remove this Magistrate from the commission of the peace.

Mr. *Kavanagh* said, that among other phrases which he had heard the hon. Member for Drogheda utter he had distinguished this—"If this case be proved." He (Mr. Kavanagh) would use that phrase too. He would say—"If this case can be proved." But it could not; for the information on which the hon. Member was proceeding was in every respect incorrect. In short, the only reply he should give was, that the charge was wholly and perfectly false.

Colonel *Bruen* was far from hushing up inquiry, like the hon. and learned Member for Drogheda, he challenged the fullest investigation into the allegations of the petition. He was sure that upon a proper and full investigation the allegations would be discovered to be wholly unfounded. He must observe, at the same time, that it was most extraordinary that it should be proposed to investigate these matters here, instead of leaving them to the proper tribunals in Ireland. As to the charges contained in the last petition, he knew nothing about them; but this he did know, that Mr. Doyne was incapable of acting in any manner unbecoming a

Magistrate and a gentleman. He again repeated that the Courts of Law were the proper tribunals for the investigation of charges like these, and that Magistrates ought not to be ruthlessly dragged before that House upon allegations which must circulate to their disadvantage until they were refuted.

Sir *Henry Hardinge* said, that if the hon. Member for Drogheda had previously informed him of his intention to bring forward such a charge against a Magistrate, he would have been prepared to meet it; but as the hon. Gentleman had not acquainted him with the allegations beforehand, he could only refer the matter for inquiry to the authorities at Dublin. It was due to the accused Magistrate to state, that from what he (Sir H. Hardinge) had heard of his character, there could be little doubt that he would be able to give a satisfactory explanation of the transaction.

Mr. *O'Connell* thought, that much would depend on the quarter in which the inquiry should be made. He had little doubt that if the right hon. Secretary, or any individual who would act with equal fairness, took the matter up, the charge would be established. This was the conclusion at which he had arrived. The matter seemed quite susceptible of legal evidence; and any man acquainted with Ireland would think few things impossible of Carlow Magistrates.

Sir *Henry Hardinge* said, he should have been happy to let the inquiry proceed in due course of law, rather than have it taken up by the Government; but as the hon. Member had suggested the latter course, he was ready to concur in it.

Mr. *O'Dwyer* would undertake, if the right hon. Secretary supplied the money, that the transaction should be brought before a Court of Justice. The right hon. Gentleman must know that individuals in the situation of the petitioner, could not go into Court without assistance.

Colonel *Evans* complained of the bias that operated upon the minds of most of the Magistracy of Ireland. From what he knew of recent occurrences in the County of Carlow, his impression was, that probably the Magistrate would not come clear out of the inquiry.

Mr. *Shaw* thought that when a serious charge was brought against an individual holding a public office, the accusation ought to rest upon the authority of some person who could be held responsible for its correctness; but this was not the case here; no name was signed to the petition: there was nothing but a mark, and no attestation that this was the mark of the person in whose name the petition was drawn up. The individual could not read the statements made in his name, and might never have heard them read. He knew one of the supposed facts stated in the petition to be untrue, and hence the House might, perhaps, judge of the rest. It was asserted that Mr. Doyne was the agent to Mr. Kavanagh, and had no property to qualify him to sit as a Magistrate, when the truth was, that Mr. Doyne had necessarily sworn to a qualification of 600*l* a-year before he could sit on the Road Sessions. He was personally acquainted with Mr. Doyne, and a worthier or more respectable man did not exist. He agreed that the charge should be thoroughly investigated.

The petitions were laid upon the Table.

POOR LAWS (FRESHFORD.)] Mr. *Roebuck* presented a Petition from Colonel William Napier, complaining of cruelty on the part of the parish officers of Freshford to the paupers of that parish. The hon. Member read the petition, and detailed several cases of great wretchedness and destitution, two of which had ended in death, arising out of inadequate allowances to paupers, in that district. The Poor-law Amendment Bill had been passed with a view to the relief of the poor, and in order to raise them from a state of distress and degradation. The Bill originally contained a clause for the prosecution by the Commissioners of persons who should ill-treat or act with cruelty towards paupers, but that wholesome and necessary power of prosecution was taken away in the Upper House of Parliament. See the situation of the poor, as the law now stood; the persons injured were poor and destitute, and had no redress against their oppressors, unless their case happened to be taken up by some benevolent private individual. Cases of cruelty and oppression ought not to be left to the chance or charity of individuals to punish,—it ought to be the business of a public prosecutor to take them up. It was mainly with a view to enforce the necessity of establishing this principle, that he brought the present case before the House. He thought that the case set forth in the petition, was one in which the House should direct the Attorney-General to prosecute. He appealed to Gentlemen's sense of justice and humanity, and asked them whether the parties who had been the cause of so much human misery and suffering, should be permitted to escape with impunity? The hon. Member proceeded to read, from the petition of Colonel Napier, several cases of extreme wretchedness and suffering among the paupers of Freshford. The workhouse consisted of a miserable collection of hovels, in which the paupers were kept without fire or sufficient clothes, or covering, in an inclement season of the year. The unhappy inmates complained of cold and hunger, and were surrounded with filth. Men and women between seventy and eighty had been reduced from an allowance of 2*s.* to 1*s.* 6*d.* a-week. Some had beds, but no bed-clothes; and the sick were unprovided with medicine or attendance. A family, consisting of a man and his wife, and several children, were allowed so small a sum, that they must have perished from hunger, but for the aid of private charity. The hon. Member was proceeding to quote other cases of extreme privation, with a view to show the culpable conduct of the Overseers and Churchwardens of the parish, when

Mr. Secretary *Goulburn* said, that if the hon. Member for Bath would allow of the interruption, he (Mr. Goulburn) thought he could state what might satisfy the hon. Gentleman, and save the time of the House. The transaction in question, had only recently come under his cognizance, but, he had no hesitation in saying that, from what he had learned of the case, he should feel it his duty to see that it underwent a judicial investigation. The hon. Member would, therefore, see, he hoped, that the effect of entering upon the details of the transaction, previous to that investigation, must be to interfere with the proper administration of justice.

Mr. *Roebuck.* Did the right hon. Gentleman mean to say that, the Poor-law Commissioners having dismissed two individuals as guilty of misconduct, he would at once direct a prosecution to be instituted against the Overseers of the parish of Freshford? Their conduct was a disgrace to a civilized country.

Mr. Secretary *Goulburn* replied, that he intended to take those measures which he thought necessary, in order to meet the justice of the case. The course he proposed to adopt was this—to call upon the parish, for the sake of its own character, to prosecute the individuals whose conduct had been complained of, for he could not but think, that if the parish authorities had exercised a proper degree of vigilance over the management of the workhouse, such things could not have taken place. However, if the parish proved unwilling or unable to take up the case in a proper manner, he should direct a prosecution to be instituted at the expense of the Crown, though not through the medium of the Attorney-General.

Mr. *Roebuck* did not think it necessary, after the observations of the right hon. Secretary, to say more on the subject.

Major *Beauclerk* congratulated the House on the circumstance of one of the strongest supporters of the Poor-laws' Amendment Bill, having at length found out that the measure could not work. [" *No," from Mr. Roebuck.*] He thought the hon. Gentleman admitted the Bill to be a complete failure [" *No*"]; if the hon. Member did not go so far, he (Major Beauclerk) had no wish to misrepresent his sentiments. It had been said, and he thought, not without justice, that the Bill could never be enforced. In the county (Surrey) he had the honour to represent, the measure was almost inoperative, and the same remark might be applied to other counties. Where the Bill had been enforced, it had produced a great deal of bad feeling among the lower classes. Many parts of the measure he admitted to be good, but there were others most objectionable in their nature: he referred particularly to the fact of the poor being put entirely in the hands of Commissioners residing in London, and he hoped the present Government would take the subject into its consideration, with a view to the introduction of improvements in the law.

Colonel *Wood* said, the Gentlemen who advocated this Bill last Session, would recollect he had warned them against the effects of the measure, and this petition justified the alarm which he and other Members had expressed respecting the consequences to be expected. [" *No.*"] Hon. Members said no, but he said yes; and he thought that such atrocities as had been mentioned, ought to call forth the sympathies of every Englishman. He was surprised that any Gentleman who had heard the horrid details brought forward by the hon. Member for Bath, should hesitate in his opinion as to the character of the Bill which permitted their existence. He had foreseen and foretold the likelihood of such evils and cases of extreme hardship as the petition described —evils for which the Bill provided no remedy, except what might be afforded by the Central Board. The measure proceeded on the principle of taking all the power out of the hands of the Magistrates, cutting off their interposition; and, in the event of cases of hardship, leaving only an appeal to the Central Board. With a view to prevent the evils that must arise, and had arisen, from this system, he last year ventured to propose that guardians of the poor should be appointed in every county, with whose assistance the Magistrates should take cognizance of gross cases of cruelty and negligence. This proposition, however, was not listened to by the House, which seemed to be infatuated in favour of this measure. His clauses were rejected in the Committee—in fact, they had been put down by general clamour. The moment the Magistrate's name was mentioned, their interference was scouted, the clauses were hardly listened to, and the Bill passed almost without any modification. Such modifications as were introduced, had been effected with very great difficulty. He was glad that the hon. Member for Bath had brought the matter under the consideration of the House. It would be necessary to revise the Poor-law Amendment Act, for the authority of the Central Board was of a temporary nature, that body having been appointed only for five years. If the operation of the Bill were to be extended, some alteration would be required in the number of Assistant Commissioners. At present the law was only partially brought into operation; in many parts of the country it was little known; but when it should be generally acted on, if it ever was, some mode must be devised for procuring immediate attention to the evils and severities to which the poor would be exposed from the grinding pressure of Overseers and others. It would be absolutely necessary to devise some mode of appeal other than that at present allowed to the Central Board.

Mr. Secretary *Goulburn* wished to set the hon. and gallant Member right with respect to a fact. He did not mean to offer any opinion upon the Poor-law Amendment Act, or upon the matter before the House; nor did he wish to prolong the discussion, but he wished to state, that the cruelties complained of had occurred in the workhouse of a parish for which the Commissioners had issued no rules or regulations. That parish was in the state in which it would have been if no Poor-law Amendment Act had passed. The power of interference in that parish was yet in the Magistrates. He thought it only due to the Commissioners under the Poor-laws' Amendment Act to state that the unfortunate occurrences detailed in the petition could not be attributed to them.

Colonel *Wood* had made no charge against the Commissioners, but had simply complained of the alteration in the old law effected by the act of last year. The statement in the petition was, that the small pittance allowed to the paupers had been reduced.

Mr. *Roebuck* observed, that the petition complained of gross misconduct on the part of the overseers, who had been for three years in office.

Colonel *Wood* had heard the petition read, and believed it to detail various instances in which poor persons receiving pecuniary allowance had had that allowance reduced from 3*s*. and 2*s*. to 1*s*. 6*d*. per week. Now, previous to the passing of the Poor-laws' Amendment Act two Magistrates had the power to order such pecuniary relief to paupers as they considered necessary; but by that Act the right of interference was entirely taken away from the Magistrates.

Mr. *Poulett Scrope*, to prevent any misrepresentation of the case of the parish of Freshford going forth to the public, was anxious that it should be distinctly understood, that all the irregularities complained of in the petition before the House were of more than three years standing. It was, therefore, evident that the Commissioners appointed last year were not responsible for them; but other parties were responsible besides the overseer, and those parties were the Magistrates. The law, as it existed before the passing of the Act of last year, and as it now existed, gave the neighbouring Magistrates sufficient power to put an end to the abuses which had prevailed in the parish of Freshford. It was perfectly true that the Poor-laws' Amendment Act took from the

Magistrates the power of ordering relief to paupers in parishes which had workhouses; but sufficient power was given to Magistrates to remedy abuses by another and very valuable Act. which had not been repealed by the Bill of last Session—he meant the 30th George III., c. 49, passed for the purpose of extending the powers granted by the 22nd George III. That Act gave the right to a single Magistrate to visit and inspect the workhouses in his district, and, in the event of discovering any irregularity in the management of the workhouses, or of ascertaining that sufficient relief was not allowed to the paupers, that they were in want of proper clothing, or exposed to diseases of an infectious nature, he was empowered, in conjunction with another Magistrate, to make an order for the remedy of all such abuses. It was, therefore, clear that the Magistrates in the neighbourhood of Freshford had the power, and ought, in the discharge of their duty, to have visited the workhouse in which the irregularities complained of had so long existed, and to have summarily put a stop to those irregularities. They might, also, have certified the state of the workhouse to the Magistrates at quarter sessions, and have obtained from them an order for the proper regulation of the place; therefore, if legal proceedings were instituted, they ought not to be directed solely against the overseers of the parish, but, also, against the Magistrates for having forgotten or wilfully neglected their duty. He really thought, that to institute a prosecution against the overseers, through the medium of the Home Secretary or the Attorney-General, was a very round-about mode of proceeding. There ought to exist some more summary process. Every pauper, to whom relief might be refused, should be allowed to apply to some neighbouring tribunal for redress. With this view, when the Poor-laws' Amendment Bill was under discussion, he had made a proposition—to which the House did not think proper to assent—to permit any individual to institute proceedings, at quarter sessions, against overseers for neglect of duty towards paupers; and to empower the Magistrates to order the expenses of those proceedings to be paid by the parish in which the existence of abuse should be proved. If such had been the law, the abuses now complained of would have been remedied long since.

Mr. *Benett* expressed a doubt whether the poor-house mentioned in the petition was a parish workhouse.

Mr. *Roebuck* considered, that the houses to which the poor were sent by the parish officers must be the parish poor-house. At all events, they were so considered, both by the assistant Commissioners and the Commissioners themselves. He commended the conduct of the Commissioners with respect to the case of the Freshford paupers, and said that they rendered the most prompt assistance as soon as the facts were communicated to them. With regard to the Poor-law Amendment Bill, many persons, both in and out of the House, had done much mischief by misleading the people, who neither read nor understood the law, as to the nature of its provisions. The hon. Member for Oldham had been most active in setting his constituents against the law. He and others had chosen to say, that the Bill had taken away all power from the Magistrates. The Bill did no such thing. The power remained to the Magistrates until the rules of the Commissioners should be promulgated. Those rules had not been promulgated, and, therefore, if the law were not carried into effect, the Magistrates had to blame themselves, and not the law. The law would place the poor in that position in which they ought to stand; and if the power to prosecute were given to the Commissioners, the law would be complete, and they would no longer have to complain of the cruelty of parish officers, or of the idleness of unpaid Magistrates.

Petition to lie on the Table.

Supply.] On the Motion of the Chancellor of the Exchequer, the Report of the Committee of Supply was brought up and agreed to.

The Chancellor of the Exchequer moved the Order of the Day, that the House do now resolve itself into Committee of Supply.

Mr. *Hume* wished to take that opportunity of putting a question to the right hon. Baronet. Hon. Members no doubt had seen a Report of a Committee of that House in which certain changes were recommended to be made in the salary of the Speaker and of his Secretary, and also that a different mode should be adopted with regard to providing the service of plate with which the Speaker had previously been supplied. Many years ago, instead of a service of plate being given to every newly appointed ambassador, a fixed sum was agreed to be given them, and the plate was to be handed over from each ambassador to his successor. The Committee to which he had referred recommended a similar course to be adopted with regard to the Speaker, by which means a considerable saving to the public would be effected. What he was anxious to know from the right hon. Baronet was, whether he had taken any measure for carrying that part of the Committee's Report into effect?

The *Chancellor of the Exchequer:* On the appointment of the present Speaker, the necessity of referring to the Report which the hon. Gentleman alluded to, occurred, and approving as he did of the suggestion of the Committee, as being both advantageous to the Speaker, and economical to the public, he took the earliest opportunity of carrying it into effect. The suggestion was, that a service of plate should be attached to the office of Speaker, by which an annual grant, by way of outfit, would be saved. That suggestion, and every other important one made by the Committee, had been adhered to by the present Government.

Mr. *Hume:* Formerly it was usual on the expiration of the period of service by the Speaker's chaplain, to recommend that individual to preferment. On consideration, the Committee to which he before alluded, thought that that was not the proper way of rewarding the servants of the House of Commons; they, therefore, recommended that whoever should be appointed the Speaker's chaplain, should thenceforth receive a fixed and moderate salary. He begged to ask whether the right hon. Baronet had adopted that recommendation?

The *Chancellor of the Exchequer* said, that it was his intention to do so, and he believed that the appointment of the present chaplain had taken place with the understanding that that recommendation was to be adhered to. The course pursued in suspending the nomination of the chaplain to any preferment would of itself make it necessary that some new arrangement should be made with respect to the remuneration to the chaplain.

The *Speaker* said, that the appointment of the Gentleman who was his chaplain, had been made without any inducement being held out to him of a prospect of preferment.

The House resolved itself into a Committee.

Several Resolutions were agreed to.

The House resumed.

ORANGE LODGES—IRELAND.] Mr. *Sheil* rose to move that there be laid before the House copies of the letter written by Lord Manners to the Reverend Mr. Johnson respecting the legality of Orange Societies, and of the opinion of the Attorney and Solicitor-General respecting such legality, given in the year 1827; also of the Address to the King of the Royal Luther Lodge, of the Down Orange Lodges, of the Trinity College Orange Lodge, and of the Orangemen of the County and City of Dublin, at a meeting held on the 5th of December last, and of the answers to the said addresses. He would first direct the attention of the House to the legality of Orange Societies, regarding which some doubt had been entertained on Wednesday evening, the Government having insisted that there had been no express opinion on that subject; and, on that ground, the Secretary for the Home Department had, if not vindicated, at least excused his having answered, and thereby recognised the Orange institutions. This subject had been brought before the House in the year 1813, by a Member of the present Cabinet (Mr. Wynn), who had moved for an inquiry into certain illegal Societies, called Orange, in Ireland. Upon that occasion, Mr. Canning and Lord Castlereagh concurred in deprecating the existence of those calamitous confederacies; and, if the Secretary for the Home Department concurred with them, it was matter of surprise that to those Societies, upon a recent occasion, he should have thought it becoming to give an answer. Again, in 1827, a discussion on the legality of these Lodges arose in the House of Commons, upon a motion of Mr. Brownlow regarding a procession in Lisburne. On that occasion, the present Secretary for the Home Department had referred to two official documents, for copies of which he now moved. The first was the opinion of the then Attorney and Solicitor-General. It might be urged that with the opinion of Mr. Plunket, on a political subject, it would be hard to exact acquiescence from the existing Administration. But Mr. Joy, who was not a Whig Chief Baron, although he was Chief Baron to the

Whigs, coincided. The opinion was adopted by Lord Manners, who, in a letter to a Magistrate on the strength of that opinion, declared the Orange Societies to be illegal. He owed it to justice to state, that in the debate which arose on that occasion, the right hon. Baronet, the Chancellor of the Exchequer, had declared, that so far from approving of Orange meetings and Lodges, if he were a resident in Ireland, he would use all the means in his power to produce their total extinction. To the production of the documents to which he had alluded, he could see no objection. Their existence could not be disputed. He should proceed, having thus established the illegality of Orange Lodges, to compare the conduct of the Government since their recent formation, with regard to the Orangemen of Ireland, with the opinions which they had formerly expressed, and for that purpose he should lay before the House a detail of some of the most remarkable addresses which had been presented to his Majesty, and which had received the Ministerial sanction, and also advert to some of the incidents which took place at the meetings where those addresses were passed; the first to which he should advert, was the address of the Luther Club, which derived its name from the father of the Reformation, although his tenets and those of the Church of England, did not essentially agree. He should read the following extract from a paper which was regarded as the organ of the Orangemen of Ireland:—"*Evening Mail*, Dec. 3, 1834. On Friday last the second meeting of the Royal Luther Lodge, No. 1483, was held; the first meeting for the purpose of formation, election of officers, &c., having taken place on the 10th of November, the anniversary of the birth of their illustrious patron, Martin Luther, A. D. 1483: hence the name and number of the Lodge. On the present occasion, the assemblage of visitors from grand, county, and private Lodges, was very great, and the effect produced on the members of this rising Lodge was cheering in the extreme, there being besides the Earl of Roden and Lord Cole, Deputy Grand Masters of Ireland, the senior Grand Chaplain of the Institution, the Grand Chaplains of the county and city of Dublin, the Grand Masters of the county and city of Waterford, the Deputy Grand Secretary and Treasurer of Ireland, &c., and many members of private Lodges. Among the latter, the kind attentions of Trinity College grand district were most apparent, whose fostering care of infant institutions, like the one we treat of, will qualify her for the name she bears. The Constitutional Calvin Lodge, 1509, also sent representatives, to give their colleagues, the Lutherans, an impetus in the noble cause. Six gentlemen having been introduced, were duly initiated into the solemn mysteries of the Orange order. An Address was then read and passed unanimously to the King." He wanted the answer to that Address. The next extract which he should read, was from the *Evening Mail* of December 8.—"Orange Institution — grand aggregate meeting of the Orangemen of the county and city of Dublin, to address the King, at the Merchants'-hall, Wellington Quay, Dublin, Friday, December 5, 1834."—At half-past seven the right hon. the Lord Mayor entered the room. His Lordship was greeted with three distinct rounds of applause. "On the motion of the Grand Master of Trinity College, Dublin, seconded by the Secretary of 1483 Royal Luther Lodge" in the third resolution it was declared that "they will shed the last drop of their blood in the defence of the Protestant institution." The fourth resolution was as follows:—'Resolved, that an Address be prepared, embodying the sentiments expressed in the foregoing Resolutions, to be presented to his most gracious Majesty, as the address of his faithful and attached subjects, the Orangemen of the county and city of Dublin.'" It was at this meeting that the Lord Mayor presided, and thus the highest civic functionary (with whom a few days after the Lord Lieutenant thought it expedient to dine) had given his countenance to all that befel at the assembly. The mere fact of his attending there was offensive to the Irish public, but at the meeting an incident occurred which rendered his attendance more deplorably conspicuous, and which served to illustrate the feelings and character of the audience convened on that occasion. It might be thought, or, if not thought, it might be suggested, that the utterance of a few inflammatory verses at a public assembly ought to be regarded as rather ridiculous and absurd than highly censurable, and that a bad ballad ought not to be brought in evidence against those who had received it with preposterous applause. Let the House, however, be just. When the Coercive Bill was brought forward, the noble Lord to whom so much of its merits was to be assigned, the late Secretary for the Colonies, amidst shouts of acclamation read, in proof of the moral and political state of Ireland, and of the expedients by which the agitators worked on the mind of Ireland—a ballad, the burthen of which related to the planting the standard of liberty on the Mountain of Shevenomaun. He did not recollect the verses, but they related to the Member for Dublin, who was designated as "the Glorious Dan!" The poetry seemed to make in the House a strong impression; but surely if the character of one party was to be collected from a silly ballad, sung—no one knew where or by whom—an invocation to warfare, thrown into metre, and recited by a Protestant Clergyman, before thousands of his fierce confederates, and in the presence of the chief magistrate of the metropolis, must be regarded as affording some intimation of the state of feeling which had been awakened in his ferocious auditory. A few nights ago, his Friend, the Member for Dungarvon had glanced at this truculent effusion, which was as atrocious as it was preposterous, but he had contented himself with referring to the words, "Keep your powder dry!" He would beg leave to read the whole poem, as it appeared in *The Evening Mail*, as repeated by a Christian minister:—

"The power that led his chosen, by pillared cloud and flame,
Through parted sea and desert waste,—that power is still the same:
He fails not to the loyal hearts that firm on him rely;
So put your trust in God, my boys, and keep your powder dry.

The power that nerved the stalwart arms of Gideon's chosen few—
The power that led great William, Boyne's reddening torrent through:
In his protecting aid confide, and every foe defy;
Then put your trust in God, my boys, and keep your powder dry.

For happy homes, for altars free, we grasp the ready sword—
For freedom, truth, and God's unmutilated word:
These, these, the war-cry of our march; our hope the Lord on high!
Then put your trust in God, my boys, and keep your powder dry."

The Mail added, "We thought the roofs would have been riven with the shouts which followed the close of the determined sentiment of each verse." Such was the sanguinary rhapsody tuned out by Mr. M'Cree, who addressed a letter to the right hon. Baronet (the Chancellor of the Exchequer), containing sentiments respecting Roman Catholics which that Gentleman, most honourably to himself, entirely repudiated. It was then at such an assembly that the Address to his Majesty was passed by the Irish Orangemen; and it was at that assembly that the Lord Mayor presided, whom the Lord Lieutenant afterwards honoured by his attendance at a civic festival. This attendance on a dinner given by a Lord Mayor of Dublin was treated as a matter of too little consequence to be seriously urged. A dinner, then, was a matter of no account. He was glad to find that it was deemed so slight and trivial an affair; but let the Conservatives mark the paper which he held in his hand, and which was a copy of the letter written by the Duke of Wellington to Lord Anglesea, and in which one of the chief causes for his dismissal was his having dined at the house of Lord Cloncurry, whose only crime seemed to have been, that he was a member of the Catholic Association. A dinner, then, provided it were an Orange one, given by a Lord Mayor, hot from the scenes of turbulence and faction, was not worth mention; but a dinner given in the intercourse of common life, by one nobleman to another, was a high crime and misdemeanor, and was a ground for changing the Vice-regal Government of Ireland. He would read the extract from the Duke of Wellington's letter, produced by Lord Anglesea in the House of Lords, dated the 19th of November, 1828:—"With respect to Lord Cloncurry, I did not advert to his former history, only to his being a member of the Catholic Association, and to his having attended the Association shortly after the Lord Lieutenant and the Lord Chancellor had honoured him with a visit. In answer, you tell me, that he went there for the purpose of discouraging the system proposed, of not dealing with Protestants. His object in going there is very little to the purpose; but having referred to the newspaper report, I see that it expressly states, that Lord Cloncurry retired from the meeting before the discussion about dealing with Protestants came on. But I still am of opinion, that, considering the conduct of the Association, the speeches which have been made there, and the doubts entertained of the legality of such an assembly (to say the least of it), the members of it are not exactly the persons to be encouraged by the Government of Ireland, which intends to conduct its Administration impartially." Good God! would any man on the Treasury Bench, after having heard that letter, insist that no stress was to be placed on the factious orgies of the Corporation, and on the intermixture in those scenes of the Chief Governor of Ireland? From the meeting the transition was almost immediate to the festive board—the chairman of the lodge was the host of the banquet, and at that banquet the Viceroy was the guest. He would next direct the attention of the House to the addresses of the Orangemen of Down, as referred to in *The Evening Mail* of February 13. The letter of the Secretary to Lord Roden contained the following passage:—"My Lord and Brother—I have the honour to forward your Lordship 120 addresses to his Majesty, from loyal Orange lodges meeting in different parts of the county of Down, thanking his Majesty for his constitutional exercise of his Royal prerogative, in dismissing the late incapable Ministers, despised of all classes of persons, but particularly so by that really devoted portion the Protestants of Ireland, for the many injuries done to the institutions of the country, particularly in establishing a system of education founded on anti-scriptural principles, namely, the mutilation of the Word of God." And yet in that mutilation of the word of God, in that vitiation of the Holy Writings, the Government were about to acquiesce, and notwithstanding the vehement protestations of their partisans, although efforts were made to raise the religious passions of the whole country. Upon that topic, the Orange supporters of his Majesty's Government now saw abundant reason to give way. Great praise was, beyond all doubt, due to the Secretary to the Lord Lieutenant, for his manly declaration that the Education Commission was to rest on the same principle, and that a further sum was to be granted: but what could be thought of those who, being a little while ago loud in their invectives against the late Ministry upon this Anti-Protestant proceeding, now remained dumb, gave assent by silence, or had even been converted from their delusion, and saw in the mutilation of the Scriptures nothing in which any ground for censure could be detected? In taking that step some risk might be run by the Ministry; but it might have the effect of drawing still closer the amiable *liaison* which existed between the present Government and the noble Lord, the Member for South Lancashire, to whom, perhaps, this sacrifice of prejudice was intended to be made, as he was the illustrious originator of the entire scheme by which the anti-scriptural system had been established in Ireland. He should advert to one address more, from a club which had been established in a place—the very last in which it ought to have been permitted to exist—the University of Dublin. *The Evening Mail* of January 23rd gave an account of it. It purported to be the address of the Trinity College district. The following was the answer of Mr. Goulburn:—"I have had the honour to lay before the King the loyal and dutiful address signed by you, and several other gentlemen of Dublin, expressive of their thanks for his Majesty's late most salutary exercise of the royal prerogative, which address accompanied your letter of the 10th instant. I have the satisfaction to inform you that his Majesty has been pleased to receive the same in the most gracious manner.—I have the honour, &c.,—Henry Goulburn." The Secretary of the Home Department, then, who had, in 1827, admitted the illegality of these societies, thus gave his unequivocal countenance to the proceedings of the students who had enrolled themselves in a confederacy, which the heads of the University ought never to have tolerated, and which, at all events, the Government ought never to have sanctioned. What but a sanction was this answer of the Secretary of State? It was deplorable that this knot of juvenile politicians should have been formed in a national institution to which Protestants and Catholics were indiscriminately admissible, and where harmony and peace should be cherished; but if it were to be lamented that the spirit of religious animosity should have found its way into those retreats which ought to be sacred to literature, to science, and to the attainment of those ingenuous arts by which the mind was softened and the passions were assuaged, not only regret, but a feeling of resentment, must be awakened, when a

Minister of the Crown, instead of reprimanding these beardless confederates, conveyed to this assemblage of precocious partisans an assurance of his Sovereign's approval. This conduct on the part of the Government was, in the highest degree, exasperating to the Irish people. No wonder that it had produced, on the part of the Orangemen, the greatest excesses, and that they had given way to a factious exultation. On the other hand, a sentiment of deep anger had been generated amidst the great mass of the population; and it was enough to make men's blood boil to witness the triumph, however temporary, of that faction, to which so many of the misfortunes of Ireland were to be referred. Let the Government, when they had taken this course out of the House, be frank within it. If they had been bold enough to restore the Orange ascendancy to the plenitude of its dominion, let them have the manliness to acknowledge it; let there be an end to delusion; let there be a truce to the affectation of impartiality; and of professions without performance let the world hear no more. The hon. Gentleman concluded by moving for the papers mentioned at the commencement of his speech.

Mr. Secretary *Goulburn:* The House had heard the Motion of the hon. and learned Gentleman read. Would they permit him to read the notice the hon. and learned Gentleman had originally given, in order that those Gentlemen who had heard only the terms of his Motion might be enabled to compare the two? The hon. and learned Gentleman gave notice of his intention to move for "Copies of the Answers given by the Secretary of the Home Department to certain Addresses from Orange and other Societies." The hon. and learned Gentleman now moved, in addition, for a letter of Lord Manners, written in 1827, founded as the hon. and learned Gentleman said, upon certain opinions of the law officers given at that time to the Government of that day; and the hon. and learned Gentleman expected him to be prepared upon the moment to express his opinion whether there was anything in the documents so moved for, which would justify him in conceding the Motion, or authorize him to oppose it. He was sure that with respect to that particular question, the House could not expect him to acquiesce in the Motion of the hon. and learned Gentleman. He must at least have time to refer to the correspondence for which application had been made; and without expressing any opinion as to the propriety or impropriety of laying it upon the Table of the House, he threw himself upon their candour and asked them, whether it was not fair and reasonable to allow him some little time to judge of its nature, and the propriety of producing it. The other part of the Address moved by the hon. and learned Gentleman, was for Copies of particular Addresses from certain Orange Societies which he wished to have laid upon the Table, together with the answers thereto. Now he had on a former occasion stated, that he could have no possible objection to lay those Addresses upon the Table of the House, together with the answers which had been returned to them. He had stated this, because he was confident in his own mind that nothing could be farther from his intention than the giving any particular encouragement and support to those extravagant and violent opinions contained in the different newspaper extracts with which the hon. and learned Gentleman had favoured the House or exalting that particular society in the eyes of the public. In returning the answers which he had given to those addresses, he was merely fulfilling what he was informed, on entering office, was the ordinary routine of the acknowledgment of such addresses. He could have no objection to lay those papers before the House, in order to show that what had been done on his part was a mere formal act of civil acknowledgment towards parties addressing the Crown—an act of civil acknowledgment which would have been rendered to bodies whose Constitution was certainly not less doubtful; and which had been rendered to them, not as Orange Societies, but as individuals coming forward for the purpose of humbly and deferentially expressing their opinions to his Majesty. He could have no wish for concealment on this question. On his coming into office, there certainly were a very large number of addresses of all kinds and description—amounting, he believed, to somewhere near 500. He naturally asked what had been the usual form of acknowledging the receipt of such documents. Out of the whole number he believed there were twelve in all which proceeded from persons who stated themselves to be members of Orange Societies.

He certainly did not pretend to tell the House that he had read through the whole of these addresses severally—he was necessarily obliged to take their contents, from the representations which were made to him of their nature; and the conclusion which he arrived at was, that answers should be returned to those addresses in conformity with the practice established on similar occasions, when a large number of addresses had been presented. The hon. and learned Gentleman had quoted the words of the answers, which he need not have done; for he (Mr. Goulburn) had expressly intended to read that part in which the parties were assured that his Majesty had been pleased to receive the address in the most gracious manner—he believed that was the expression. In consequence of the notice the hon. and learned Member had given, he had looked back with the view of ascertaining whether he had been misled in his impression of the practice of this particular department, or whether he had gone out of his way with reference to the particular society in question, or afforded them an encouragement which every one who knew what his conduct had been both in Ireland and in that House, must know it had never been his intention to afford. On referring to an antecedent period—to the year 1831, when political unions were formed in great numbers, and poured in their addresses to the Crown—he found that addresses from bodies expressly styling themselves members of the Political Union of Worcester, of the Political Union of Leeds, of the Political Union of Sheffield, and of a vast number of other places, were presented to the Crown. To all of these bodies, he found the following answer had been returned. "I have had the honour to lay before the King the loyal and dutiful address signed by yourself and Mr.——which accompanied your letter of such a day; and I have the satisfaction to assure you that his Majesty was pleased to receive the same in the most gracious manner." The hon. and learned Gentleman had said, that there was no doubt or suspicion of the legality of these Societies, but that there was some suspicion certainly as to the legality of those in question. He fairly admitted to the hon. and learned Gentleman that he did not consider that point as one of great moment, because his directions had been, and his object was, to conduct the formal part of the business in the ordinary and accustomed manner. But when the hon. and learned Gentleman expatiated on the legality of the Political Unions, could he have forgotten the Proclamation issued with respect to them, in which his Majesty's subjects were distinctly warned that they were illegal bodies, into which it was highly inexpedient for them to enter; and that they were constituted in a way which rendered them amenable to the existing law. He did not refer to this Proclamation, with the view of casting any imputation on those who had preceded him in the department for having returned the ordinary gracious answer with which his Majesty was in the habit of receiving those who came before him to express their approval of particular measures of his Government. He wished to show merely, that there was neither in the one case nor in the other a disposition on the part of the Secretary of State to set up the legality of the body to which the answer was addressed; but that it was only a gracious acknowledgment of the sentiments which those persons, purporting to be one body or another, entertained towards the Government of his Majesty. The hon. and learned Gentleman, as it appeared to him, had mixed up with that which was a very simple question, a great many exciting and irritating topics. He had referred to paragraphs which appeared in the newspapers and speeches made at the meetings at which the addresses were agreed upon. Perhaps they were most violent, and he was not one who was disposed either to justify speeches of this kind or the descriptions given of them in the public press. But he asked the hon. and learned Gentleman, or, if he were insensible to the appeal, he asked the House, whether it were possible for the Secretary of State, receiving addresses to the Crown, before deciding upon and answering them, to take into his consideration all the topics of excitement, or irritation which had been broached at the meetings preliminary to them, or whether that excitement or irritation would be a ground for his excluding those addresses, if properly worded, from presentation to the Crown, or for not returning the usual civil acknowledgment of the Address itself. He would not detain the House any further upon this subject. He would only say, that if the hon. and learned Gentleman imputed to him, either in this instance or, in his general conduct, any desire to keep up institutions calculated to maintain religious prejudices, or separations between different classes of his Majesty's subjects, he did him the greatest possible injustice. The hon. and learned Gentleman knew, that during the time he (Mr. Goulburn) was in Ireland, no one had been exposed to greater obloquy or reproach; he had been charged with introducing measures tending to destroy the Constitution of those Societies as they were then established; and he had been on more than one occasion opposed to men for whom he entertained privately the highest individual respect and esteem, simply because he would not lend himself to the encouragement of separations between different branches of his Majesty's subjects which he considered did not conduce to the public good.

Mr. *Feargus O'Connor:* The right hon. Gentleman had attempted to draw some kind of analogy between the Orange Societies and Political Unions. With regard to the proclamation, the right hon. Gentleman was quite mistaken. The Orange associations were contrary to law; but with reference to the Political Unions, the proclamation went no further, as it affected those bodies, than to discourage their assembling in great numbers. He hoped his hon. and learned Friend would press the Motion to a division. However the right hon. Gentleman might attempt, by proving that he acted with the ordinary degree of courtesy, to defend the Government generally, he told him, and he told the House, that the very refusal of Ministers to accede to the Motion would give a triumph to the Orange party in Ireland, and any triumph, however short-lived or ideal, gave that body which had made Ireland a kingdom of poverty, fresh life and vigour. He had intended, in 1822 to publish two large volumes of letters from members of the then government of Ireland to the Orange Association; they were suppressed, no fewer than 3,000 copies having been seized by the High Sheriff of Cork; but he hoped he should be enabled to publish them yet. He hoped the Ministry of the day would not be allowed to give a triumph to this despotic faction to which the whole government of that country was confided, and who insulted and trampled on its population. The Gentlemen on that side of the House—the Reformers of England—were, he was happy to say, beginning to see that the people of Ireland had real grievances to complain of, and wrongs that required redress. The consciousness of these facts would soften the naturally inflammable and hasty disposition of his countrymen, and they would now begin to conquer by moral strength and power.

The *Chancellor of the Exchequer* was very happy to hear that the hon. and learned Gentleman who had just sat down was going to substitute moral strength and power for the irritable and inflammable qualities that had formerly been exhibited on that side of the House; but he really could not find, in anything that had occurred in the course of that debate, any justification for even that degree of mitigated warmth which the hon. Gentleman had displayed in the course of his address to the House. He must say that the hon. and learned Gentleman appeared to him to take fire very easily, and boil at a very low temperature. He thought he could convince the hon. and learned Gentleman that there was nothing on the present occasion to justify the ebullition which he had just exhibited. He had told them, that now the Irish Members were supported by a powerful party, they were determined to try their strength. Now, what was the Question before them? The hon. and learned Member for Tipperary (Mr. Sheil) had given notice, for the information of the whole of the House, that on that day he would move for the production of certain documents—namely, the addresses to the Crown from the Orange bodies, and the answers returned to them by the Secretary of State, thinking that on the production of those documents, he should be enabled to found some measure criminatory of that Member of the Government. The Secretary of State said, "I am perfectly willing to accede to your Motion, in which I am myself concerned, and to produce the Orange addresses and the answers thereto. I am perfectly willing to follow out the objects which you declared you had in view in the notice you gave, and as far as I can have a personal or political interest, to promote them." But the hon. and learned Gentleman did not adhere to his notice, but got up and without any notice whatever, moved for the production of a letter written by Lord Manners in 1827, and the opinion of the Officers of the Crown of the legality of these Societies. "I say," continued the right hon. Baronet—"I say to the hon. and learned Gentleman, take your division on this point, and if you have a majority, I would infinitely prefer being in the minority for opposing, than in the majority for acceding to it. I say, in the first place, your notice misleads us; and when you give notice of a Motion for the production of documents dated in 1834, relating to the Secretary of State, and he says, 'I am willing to produce them,' I say, in the face of any majority, that it is not fair without the slightest notice to make a Motion for the production of a letter written by the Lord Chancellor of Ireland in 1827." It might or it might not be right to produce it, but he would say that it was not fair to call for its production without previously giving notice of the intention to move for it. It tended to diminish the confidence of the Government in their notices, and to mislead them, when they gave notice of a motion for the production of one document, and then moved, without notice, for the production of another, with no possible reason for so doing. What motive could they possibly have for refusing the production of those documents, if, consistently with the ordinary and constitutional practice, they could lay them before the House? He had sat in Parliaments which had evinced extreme unwillingness to receive the opinions of the Law Officers of the Crown—he had sat in Parliaments which had said, "The opinions of your Law Officers are nothing to us, and we will not be bound by them; we distrust the opinions of the Law Officers of the Crown on questions of constitutional law;" and when a proposition had been made by a Secretary of State for the production of such documents on a question in which his own political conduct was implicated, he had seen men, claiming for themselves the title of friends of constitutional liberty, the first to oppose the production of the opinions of the Law Officers of the Crown. The present Question, therefore, was one demanding the gravest consideration. He could have no interest in opposing the Motion, but he thought he had a right to call upon the House not to decide in favour of the production of these documents until after regular and proper notice had been given. He trusted the hon. and learned Gentleman would divide, and show the House, if he had no moral force on his side, what was his boasted physical strength. He had that confidence in the manliness and fairness of the hon. and learned Gentleman; that he did expect him to redeem his pledge, and take the sense of the House upon the Question. What was the Question after all?—the only Question on which the hon. and learned Gentleman could take the sense of the House? Government had promised to produce the addresses and answers, and the only question was, whether the additional document should be produced which had been moved for, without any notice having been given. What was the drift of the hon. Member's speech? If the Motion had any object at all, it was this, not whether in compliance with the form that prevails on such occasions, the Secretary of State had returned certain answers, but whether, in point of fact, there had been any intention shown on the part of Government to countenance certain exclusive Societies. The hon. Gentleman opposite had said, in reference to him, that when he was in office as Secretary for Ireland, he had found it convenient and necessary to encourage those confederacies, and to look for their support. He would follow the course the hon. Member had taken in his speech, and show that in attempting to found the charge against this Government, which he had endeavoured to substantiate, he must himself have been sensible of the reply which it was in the power of the Government to make. He would read to the House the language he had made use of in 1827, when speaking on the subject, and he would beg them to remember, that that was the period when he was supposed to be an encourager of Orange Associations. In the language which he had used the other night, he had expressed himself, as at present, averse to such Associations, and he should now show that he had never thought it necessary to encourage them. He was aware that it might be said, that he afterwards changed his opinions as to the relief to be given to Catholics; but the period of which he was now speaking, was in 1827, when he certainly was opposed to the removal of the Roman Catholic Disabilities, and this was the language he then used:—"First, however, he must be allowed to say, that he heartily wished all these Associations were at an end. He believed that they were dying away; but at the same time he agreed with the right hon. Baronet, that if the processions were done away with, it would be better for the peace, the tranquillity, and the happiness of Ireland. Any opinion, therefore, which he might hold—any of the strong opinions which he was known to entertain respecting Catholic Emancipation, could not fairly be supposed to influence him upon the present question. If he were a private gentleman in Ireland, he declared to God, that he would, by his influence, by his example, by every means in his power, endeavour to put down these Associations and processions."* Did this imply any desire on his part to encourage these Associations? Did this show that any alteration in his opinions on the subject of the Catholic Claims, had influenced his sentiments with regard to these Associations since 1827, at which period, although himself opposed to the Catholic Claims, he had endeavoured to put them down, and expressed his belief, that if they were done away with entirely, it would be better for the peace, the tranquillity, and the happiness of Ireland.

Mr. *Sheil*. That was precisely what he wished to show. It was to this very statement of the right hon. Baronet, that he had referred.

The *Chancellor of the Exchequer* would then ask, whether this was not in direct opposition to the argument, that he had first encouraged, and afterwards opposed, these confederacies?

Mr. *Sheil* begged to interrupt the right hon. Baronet for a moment. He had never charged him with having encouraged these Societies.

The *Chancellor of the Exchequer* was putting the accusation in the form in which it had been put by the hon. and learned Member for Cork (Mr. Feargus O'Connor) and he was contrasting the argument of the hon. and learned Member for Tipperary (Mr. Sheil) with those of that hon. and learned Gentleman.

Mr. *Feargus O'Connor*. I give the right hon. Baronet credit for assuming the two distinct characters.

The *Chancellor of the Exchequer*. That was the point on which he was desirous to set himself right with the House. He was anxious to show that he was not entitled to the honour of those two distinct characters on the subject of Orange associations, and never had been. When he opposed Catholic emancipation in 1827, he had earnestly desired the discouragement of those associations in every possible way; that had been his uniform course, and he had never assumed two characters with reference to the subject. But it had been said, that there was a Mr. M'Cree, from whom he had received an address. He had received an address from Mr. M'Cree, and, if he had been desirous of encouraging those associations, would he not, in his reply, have omitted all reference to them? Had he done so? On the contrary, he had distinctly stated, in his answer, that he totally differed in opinion with Mr. M'Cree, and that he could not agree with him; that it was not desirable to fritter down the law, which had established perfect equality and justice between all his Majesty's subjects. Again, it had been said, the constitution of the present Government was such as to destroy all confidence on the part of Irish Members. They had been told, that in 1827, when there was a discussion about Orangemen, the very person who brought the question forward, and expressed himself most strongly against Orange Associations, was the right hon. Member for Montgomeryshire, and he had been selected by his Majesty as a Member of the present Cabinet. Well, but was it likely, if there were any desire to encourage confederacies of an exclusive nature, on the part of the Government, that his Majesty would have selected for his adviser the very man who, according to the hon. Gentleman's statement, had directed his voice and influence against Orange Associations in 1827? [Mr. *Sheil:* In 1830.] The difference was of no great importance; it did not affect the force of his argument. The question, after all, was not as to the precise legality of these Associations. It was possible that associations might strictly conform to the law, and yet, that all the evils, to which they gave birth, might be lasting. These evils would not be cured by making them conformable to the law, because the real danger was not the breach of the law, but the encouragement and dissemination of angry feelings. If such an Association were formed, so as to conform strictly to the law, but still so as not to free it from the promulgation of angry and malignant feelings, though such an Association would be within the verge of the law, it would not be freed from that which was the real objection. They could not pass an Act that no Orange lodge should be formed excluding Roman Catholics. They might, indeed, say that no oaths should be administered to an Orange Association, or that the test of an Orangeman should be, that he took the oath of allegiance; but he could not see how they could object to their not receiving any particular class of persons into their Associations. His opinion was, that the course followed by the opponents of those Associations was, in many respects, unwise. They had been taunted, threatened, and provoked; and now the feeling, which in a great measure kept them together, was, that they would resist the threats and despise the taunts, which were heaped upon them. He had never sought to conceal his opinions upon this subject; he had never supposed that a conformity to the law would remove the real objection to these Associations; he had always been of opinion, that the best mode of proceeding with reference to them, was to adopt that tone, which would not only induce them to conform to the law, but which would enable them to form some sense of the danger of encouraging angry feelings, and the memory of feuds, which were no longer called for, and which ought to be buried in oblivion. To those who wished for the tranquillity and peace of Ireland, he would say, that they ought not to set the example of establishing these dangerous Associations themselves; and, above all, that they should avoid language which might tend to keep up the feelings which engendered them. But, with regard to the particular Question before the House, he was surprised at the manner in which it had been discussed. It was a privilege secured to the King's subjects, by the Bill of Rights, that they should lay their petitions before his Majesty; and, he would ask, would it be proper or wise that the King should stop to make minute inquiries, as to what particular association the persons sending the address belonged to, or what particular opinions they held, before he received their addresses. No doubt, the hon. Member would be able to show, with respect to political unions, that before they were denounced by proclamation, the King had received their petitions, and that the King did not inform them they had forfeited the common right of his subjects. Was it not clear, then, that his right hon. Friend, in following the ordinary practice of his office, had not the slightest intention to pronounce an opinion on the legality or illegality of the body from whom the addresses had come, but merely, in conformity to that practice, to return the usual answer? If this principle had been acted upon in the case of the Political Unions, why was it objected to in the case of the Orange Association? It was an attempt to narrow the right and privilege of the subject to address the Crown, or to cause the Crown to inquire into the particular opinions or Associations to which those persons belonged who did address it, and, in that way, to prevent those opinions being conveyed to the Sovereign, or to Parliament, in the manner most palatable to those who wished to express them. If these bodies were illegal, why were they not put down? Hon. Gentlemen would seem to assume that they were illegal—if they were, would there be no difficulty in suppressing them? Although he considered that they led to irritation, he was not satisfied of their illegality; but if they were illegal, why not institute a prosecution against them? If they were illegal, let them be prosecuted; but, if they were not, his earnest advice was, to set an example of forbearance; and let the advice conveyed to them be in friendly terms, for then he was confident that it would have a much more salutary impression, than the most violent and menacing language that could be resorted to.

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* Hansard, vol. xvii. New Series.—p. 149.

Mr. *Sheil* begged to explain. He felt the justice of the objection on the part of his Majesty's Government, that they were taken by surprise in being called upon to produce a document, respecting which no notice had been given. The fact was, that on looking into the question, he found that an opinion had been given by the Law Officers of the Crown, and that a letter had been written by Lord Manners; and he had included both documents in his Motion, not imagining that his Majesty's Government would object to the production of them. As the objection had been raised, however, and in order that the Ministers might have the opportunity of considering whether there were any grounds for the withholding that document, he would not press for its production then, but would move for it hereafter. The right hon. Baronet had accused him of an intention to resort to physical strength. [The *Chancellor of the Exchequer:* Numerical strength.] He could assure the right hon. Baronet that he had never had the slightest intention of resorting to physical strength. He must leave its display to his hon. and learned Friend beside him, the Member for Cork (Mr. Feargus O'Connor), who was much more likely than himself to succeed in any attempt of that sort,—and to the hon. Member for Sligo who had urged the necessity of displaying "the physical strength" of the Orangemen, when the noble Lord the Member for South Lancashire designated them as the "fragment of a broken faction."

Colonel *Evans* had had to present an Address to the Crown from his constituents on the subject of the removal of the late Ministry, and the appointment of the present Ministers, disapproving of that appointment. He received an account from the Home Secretary, that that and some other addresses to a similar effect, had been delivered to his Majesty, but, as far as his recollection went, it was not said that they had been graciously received. The similarity of form, therefore, spoken of by the right hon. Baronet did not seem to have been altogether strictly adhered to in practice.

Colonel *Perceval* said, that as the object of hon. Members was manifestly on former nights, as well as on the present, to impugn his conduct as a member of the Orange Institution; he felt himself called upon when the subject was last under the consideration of the House, to give an unlimited declaration of the principles upon which the Orange Institution was founded. Hon. Members had since then got up one by one and attacked him; and he might almost say that he had run the gauntlet from one end of the Opposition benches to the other. The charges brought forward against the Orange Institution, were founded on surmises which could not be sustained; and he would once for all assert that those surmises were one and all unfounded. With the view of bringing the matter to an issue, he pledged himself to the hon. and learned Gentleman, the Member for Dublin, to furnish him with every document connected with the Orange Institution; and further, he was ready to avow himself, outside that House, as a member of the Orange body; and he therefore challenged the hon. and learned Gentleman to put to test in his person the legality or illegality of the Institution. An hon. Member on a former night, called upon him to withdraw from the Society, inasmuch as it was illegal; and the only reason he could adduce in favour of his proposition, was, that the hon. and learned Member for Dublin had said so. Now, he was one of those who did not place implicit credence in all that was said by that hon. and learned Gentleman. But, though he undoubtedly should look up with the respect it deserved, to a legal opinion, given by the hon. and learned Gentleman, in his office, in Merrion-square; yet, for these gratuitous, capricious opinions which he was in the habit of volunteering—either to serve his own interests, or for the purpose of warping the judgment of country Gentlemen in that House,—for such opinions, notwithstanding that he might pledge his professional character for the correctness of them, he entertained no respect whatever. The hon. and learned Gentleman had staked his professional character as to the illegality of Orange Societies. He had offered the hon. and learned Gentleman an opportunity of setting that question at rest, and if he declined the challenge, then he trusted the House would hear no more of the illegality of the Society. With respect to himself, and to several friends of his who belonged to that body, he could say, that not one among them would continue for a single hour connected with it, if they believed it to be illegal. The body was not bound together by any oath; when the law was brought in by Lord Plunket, making sworn societies illegal, they at once submitted to the act of parliament. [Mr. *O'Connell:* The act which makes them illegal was passed long before that.] Oaths were never administered since he became a Member—it was, in fact, long subsequent to the passing of the act to which he had alluded, that he joined the Society; and he well remembered the day on which he was admitted, meeting the hon. and learned Member for Dublin, who told him that he was in possession of all the rules and regulations of the Society. The purpose for which he had risen, was to afford the hon. and learned Gentleman an opportunity of trying the legality of the Society. He had promised the hon. and learned Gentleman every document connected with the body, and an avowal in writing, of his being a Member. These documents the hon. and learned Gentleman should have whenever he chose to apply for them. The principles upon which the Institution acted, were purely of a defensive nature—they were not associated for the purpose of hurting the feelings of any man, on account of his political or religious opinions. If he thought the body illegal, he would withdraw from it at once; but, were it even legal, and had for its object the shedding the blood of his fellow countrymen, as had been falsely stated, he would scorn to belong to it. Within a very short period, this body was eulogised by the hon. and learned Member for Dublin, in terms not less strong than those in which his censure was now conveyed. He believed, that if the Orangemen had not resisted the Repeal of the Union, but had permitted themselves to be deluded into a junction with the hon. and learned Gentleman, in order to effect a dismemberment of the empire; the House never would have heard the denunciations against them which had been fulminated by the hon. and learned Gentleman. The hon. and learned Gentleman stated, that for four or five years, he had held out the hand of fellowship to the Orangemen; if so, he could not have been sincere in doing so; inasmuch, as within a very short period, he declared that he never shook hands with one of them that his blood did not boil with horror. Had the hon. and learned Gentleman succeeded in cajoling them, the House would not have heard so much of the mischiefs of Orange domination.

Mr. *O'Connell* did not know whether he understood the gallant Colonel. Did he mean to say that he would furnish him with the test which admitted Orange Members into their respective lodges? Would the gallant Colonel give him a copy of the declaration made by each newly elected Orange member? [Colonel *Perceval*—"Yes."] Could he go into an Orange Lodge? Could any one who is not a member of the Association? It was easy to vapour, but could he, or any Catholic, obtain admission to these Associations. Would the hon. and gallant Member initiate him in the secret of passing into these Lodges, for at present, he was unable to procure admission? Would the hon. and gallant Member disclose to him the way in which Orangemen tested each other? Would he show him the declaration which Orangemen made on being admitted into their Associations? ["*Yes.*"] Then he (Mr. O'Connell) would take the hon. and gallant Member on his own statement, and he would prove in the plainest manner, that on his own showing, Orange Associations in Ireland were illegal. He did not mean to say that in England such an Association would be illegal, but he affirmed that in Ireland, on the gallant Colonel's own showing, such an Association as he had described was an illegal society. He had paid the Orange Associations the greatest attention; he had their history from the date of their atrocious and bloody proceedings in Armagh, to the present time, and he was convinced of their illegality. The hon. Gentleman opposite, had said that Political Unions were illegal, and that addresses from them had been received by the late Government. Now, this was a mistake. The Political Union of Birmingham, in a notice issued by them, stated that they intended to act under a particular system of organization; upon which, a proclamation was issued by Government, that such a system would be illegal, and it never was carried into effect. The Political Unions never, therefore, existed in a state which rendered them illegal, nor could any addresses be received from them as Unions. The Political Unions from which the addresses were received, were open to every one—they had no oaths or declaration, and they were therefore perfectly legal. It was true, as the right hon. Baronet had said, that, although a society might not be illegal, it still might be dangerous and unconstitutional, and in this he agreed with him; but what was to be said of societies which were both illegal and unconstitutional, as well as un-Christian? The right hon. the Chancellor of the Exchequer had certainly read them a most excellent lecture on the beauty of Christian charity; and had recommended that all party distinctions should be buried in oblivion, but he might as well have given his advice to the winds. He might declare that he had always been an enemy to the continuance of Orange Societies, and that he wished to remove all grounds of difference between the professors of both religions, and he (Mr. O'Connell) had no doubt the right hon. Baronet was sincere, but his practice was to foment and encourage their perpetuation. Did he not arm the Orange yeomanry, to the number of 20,000, in the north of Ireland? Was there a chance of justice there, for the poor Catholic, when the magistrate and the juror were all Orange? If a poor man were persecuted by a faction, he had not the slightest prospect of success, so long as that faction had power in their hands. The right hon. Baronet and the hon. and gallant Colonel, could not have read the statute relative to such associations. The right hon. Baronet was not aware that any confederacy, bound by an oath, declaration, or test, was illegal. It was on this account that he asked the hon. and gallant Colonel to give him the test required of an Orangeman, but the test was refused. The words of the act were as follows: "That from and after the expiration of fourteen days next after the passing of this Act, any, and every society, association, brotherhood, committee, lodge, club, or confederacy whatsoever now established, or hereafter to be established, in Ireland, of the nature hereinafter described shall be, and be deemed and taken to be, and is hereby declared to be, an unlawful combination and confederacy; that is to say, any and every society, association, brotherhood, committee, lodge, club, or confederacy, the members whereof shall, according to the rules thereof, or to any provision or agreement for that purpose, be required, or admitted, or permitted, to take any oath or engagement, which shall be an unlawful oath or engagement within the intention or meaning of the said recited Act of the 50th year of his late Majesty's reign, or to take any oath not required or authorised by law; and any and every society, association, brotherhood, club, lodge, or confederacy, the members whereof, or any of them, shall take, or in any manner bind themselves, by any such oath or engagement, upon becoming, or in consequence of being members of such society, association, brotherhood, committee, lodge, club, or confederacy, the members whereof shall take, subscribe, or assent to any test, or declaration not required by law." So, that, not only was it illegal to take or subscribe any test or declaration, but the society was illegal, if the law did not make such test or declaration mandatory upon the person taking it. The hon. and gallant Colonel knew, as well as he did, that there were secret tests by which Orangemen were known. He could not get into an Orange lodge if he wished it; nor could any other person, whoever he was, who did not know the sign. Every person must be tested, before he could gain admission; and thus, every Orangeman was guilty of a misdemeanor. It had been asked, why these associations, if illegal, were not prosecuted? He would tell the House the reason. It was because the Government would not do their duty. No! They would rather reward the men who proclaimed themselves to be Orangemen. The right hon. Gentleman (the Chancellor of the Exchequer) thought it better to treat them with a dissertation on the sweet and social charities, and the suggestions of humanity, and was surprised to find that he did not get credit for his endeavours to discourage sectarian differences. But look at the right hon. Gentleman's actions. He might have been mistaken in attributing to Mr. Robinson a relationship to Lord Farnham, but he was not mistaken as to his Orange politics. Then, there was Lord Roden, the Deputy Grand Master of the Orange Lodges of Ireland; he was selected by the Government as an object of especial favour, though he declined the proffered honour. It might be true that the right hon. Member for Montgomeryshire had always advocated the expediency of granting the Catholic claims; but, on the other hand, there was the right hon. Member for Kent, the present Paymaster of the Forces, a most respectable Gentleman certainly in private life, but one who had always proved himself the unflinching opponent of any measures of relief, as regarded the Catholics, and who, when the hon. Member for Caithness, divided the House on the question, whether any grant should be made for the support of the Catholic college of Maynooth, was one of the minority of twelve who refused to sanction such idolatry, as the hon. Member for Caithness expressed himself. He was therefore fairly entitled to set off the right hon. Member for Kent against the right hon. Member for Montgomeryshire, and he ought to have the balance allowed him. Then, who were the new Privy Councillors of the present Government? Why, the two right hon. Members for the University of Dublin. They were most respectable Gentlemen in domestic life, and most consistent in their politics, but the senior of them had all his life been a most determined opponent of the Catholic claims, and so far did his zeal carry him, that it was reported of him that he once, he meant in the year 1829, went even to the verge of rebellion in resisting them. The hon. and learned Member had, however, denied the accuracy of this report, and he had done right, but it could not be doubted, that he had done every thing to show his detestation of those who presumed to bestow equal rights, with himself, on his Catholic fellow-countrymen. Whom did they take next? Why, Mr. Gregory, who ought never to have been employed at the Castle at all, and who had now retired from the situation he held, but had been made a Privy Councillor. He would beg to ask the right hon. Baronet, if it was not a matter of notoriety, that a Catholic had not a chance of getting a fair hearing, as long as that Gentleman was in Dublin Castle? Who was the third? The learned Recorder of the city of Dublin. The hon. and learned Gentleman was, most undoubtedly, a very respectable man, in private life, also; but he would ask any unprejudiced Gentleman in that House, whether there was within its walls, a more decided partizan than that hon. and learned Member. Before the House of Commons was prorogued after the last Session of Parliament, the House had condescendingly listened to his representations, and had given him reason to look out for better days for Ireland. A Bill was introduced for the commutation of tithes, and carried through that House, and it was not necessary for him to advert to the manner in which it was thrown out by the House of Lords, after he had left town for Ireland. They then held out the promise to the Irish nation, that they would take off two-fifths from the amount of Tithe then paid, and, at the same time, led the people to expect some additional relief, in the ensuing Session of Parliament. What was the conduct of the Catholics of Ireland—of the Repealers—on that occasion? Did they proceed to agitate the country? Not a single agitation meeting was held by those who coincided in opinion with him. What, however, did the right hon. Gentleman opposite then do? He and his party agitated the country to the centre. What was the conduct of the Corporation of Dublin, and those connected with it? Who was the orator? who was the principal speaker at the orgies then held, and occasionally honoured by the presence of great folks?—who, but their legal adviser. What did that party then do, with which some hon. Gentlemen opposite said they were proud to be connected? Did they not send over for a first-rate performer in agitation — Lord Winchilsea. But, was that all? What was the conduct of some of the High Sheriffs? Did they not put themselves at the head of those who came forward with declarations, that they were prepared, even with force, to put down their Catholic fellow-subjects? Did not one of their high functionaries preside at a meeting, where the persons assembled armed, and where they fired their pistols in the air, to shew that they were ready to use them, in another way, should they be called upon to do so? This was the source of agitation now complained of by the hon. Gentleman — they originated it in their Brunswick Lodges. What other object had this agitation, than to put down civil and religious liberty? The able and talented representative of the party in the House, the right hon. the Recorder of the city of Dublin—and he fully admitted both his talents and ability—had made observations in that House, imputing to Catholics a desire, if not for the blood of Protestants, at least for the blood of Protestantism. The Government then had made a Privy Councillor of this maker of wild discourses, to shew their anxiety to govern Ireland with impartiality. And from whence had they selected their other Privy Councillors and public officers, but from that party which had domineered, in Ireland, for 600 years—and they then thought that they had discovered a mode of quieting Ireland? He had been informed, and if it was necessary, he could prove it at the bar of the House, that the Lord Lieutenant had undertaken to govern Ireland on Orange principles. He had been so informed, and he believed it to be the case. But he cared not, as far as his argument was concerned, whether it was the case or not. Was there not, however, one shout of exultation from every Orange Lodge in Ireland, when they heard of the accession of the present Ministers to office? Was there not a shout from that party, when they heard that the Gallant Officer opposite (Colonel Perceval) was selected to fill a high office connected with the Government? It would not be said that he had superior qualifications, for that office, to those who sat around him, although he was fully their equal; yet it would appear that he had been selected merely because he belonged to this society. Did not this party raise, before the eyes of the Lord Lieutenant, in the Dublin Theatre, an Orange flag, on which were inscribed the words "No Popery;" and yet no steps were taken to censure their proceedings, or to mark a disapproval of their conduct? What would the House have said, if a flag with the motto "No Protestantism," had been exhibited in the presence of the meanest magistrate in England? Would it not have rung with the indignant cries which the insult would have called forth? In England, a magistrate would instantly be removed from the bench, who said he was a member of an illegal association; yet the Lord Mayor of Dublin declared that he was an Orangeman, and that he gloried in the name, and notwithstanding this, he was visited and complimented by the King's representative. This Corporation resembled that of London, in the name of its officers, and at the present moment, the High Sheriff of London was a Catholic. Such was the spirit of Protestantism in this country, but what was the case in Ireland? So long since as the year 1792, the corporation of Dublin was enabled to admit Catholics as freemen, and the late statute admitted them to all other corporate offices. From 1792, however, not a single Catholic had been admitted to the freedom of the corporation. For forty-three years, notwithstanding the removal of the legal disabilities, not a single Catholic had been admitted as a freeman,[f] and yet the legal adviser of the corporation had, this year, been made a Privy Councillor. Talk not to him, then, of being impartial and free from party influence, when they gave every species of support to the cruel faction that domineered in his unhappy country. Let not the House be deceived, with supposing that the meetings, which he had alluded to, were mere tea-table associations for idle gossip. The administration of justice was deeply affected by the proceedings at these places. What justice had a poor Catholic to expect, when he saw arrayed against him an Orange sheriff, an Orange prosecutor, and an Orange jury encouraged and upheld by such leaders? Let the majority of that House continue the present Government in office for a few months, and they would give to Ireland another generation of partial judges; they would continue the party sheriffs and the party juries, who perjured themselves for the sake of protecting those with whom they were associated. "Remain," (continued the hon. and learned Gentleman)—"Remain in office, do; let your majority or your minority keep you in, but for three months, and see what a fruitful harvest of crime you will reap." He had been told, that they ought to look to the character of the Lord-lieutenant, who had voted often for the concession of the Catholic claims. How many men, however, had voted for the Catholic claims who were anything but constant supporters of religious liberty! Did not some who were now regarded as chosen specimens of Orangeism lend their aid to carry that measure? The right hon. Secretary for the Home Department had disclaimed any connection with the Orangemen of Ireland. His conduct had been so pellucid, that his declaration would surprise the whole of the Orangemen of Ireland. The right hon. Gentleman was regarded as the child and champion of Irish Orangeism; and however he might disclaim their society, he would ever be regarded as attached to the principles of the body. The country must soon be made acquainted with the line of policy intended to be pursued by the present Government; and it would then be seen, whether the just expectations of the people would be fulfilled. The House would have to determine whether, after four years of improved government, Ireland was again to be ruled by that system which had existed for so many centuries. He was not satisfied with the conduct of the late Government on many points, and, above all, on the selection of many of their officers. He repeatedly warned the late Government against the want of care manifested in the selection of their instruments. Above all, he indignantly denounced the selection of the late Attorney-General, for he knew that that learned person would make himself instrumental in supporting anything but a liberal course. He regretted that the right hon. Member for Staffordshire was not in the House, as he would have reminded him of the caution he then gave the Government. Where was the Whig Attorney-General—had he not become the Attorney-General of their successors in office? In perfect consistency with the whole of his previous life, he had pursued this course, for he had always distinguished himself as the opponent of civil and religious liberty. The hon. Member for Donegal said, that he did not belong to an Orange Lodge, although he highly approved of the principles of the excellent men who formed them. He (Mr. O'Connell), however, would ask what those men had ever done for the people of England? Had that party ever supported a liberal measure? Could the Dissenters believe that they would support the claims of that numerous class? Was it not notorious that the Orangemen had ever been the strongest opponents of the liberties of the Protestant Dissenters? He would ask the Reformers, whether they did not oppose the Reform Bill in all its stages? Not only were they unqualified opponents of that measure, but they endeavoured to mix up religious fanaticism with other feelings, and to bring them forward in opposition to it. Had they not shown themselves on all occasions to be the enemies of education, and had they not charged those who advocated a liberal system of education, with being actuated by the wish to mutilate the Scriptures? Many Gentlemen opposite had assailed him for the conduct he had pursued, but he did not regret it. They vituperated those who continued agitation in Ireland, and they were just pursuing the course to lead to it as a natural result. The right hon. Baronet had stated, that he was anxious to carry on the Government with impartiality, but he had, connected with him in office, those who were members of the faction that had so long misgoverned Ireland. The right hon. Baronet had taken Orangemen into his councils, but he contended, that no lawyer could justify the Orange system, or show the legality of such societies. No man could dispute that now—indeed he was sure the opposite side would at once admit them to be illegal societies when they read the Act to which he had referred in the early part of his speech. He regretted the course that had been pursued, because he feared that it would excite agitation of the worst character, with all its attendant evils. [" *No, no!*"] He repeated, that it would excite agitation and crime: misgovernment and oppression would again excite Whiteboyism, and lead to the commission of crimes which must be abhorrent to every human being. Who chiefly suffered by this species of agitation? Of what class of persons were those chiefly murdered and massacred by the Whiteboys? Not the Protestant landlord or the Protestant tenant, but the Catholic landlord and the Catholic peasantry were generally the victims. An atrocious attempt to commit murder lately occurred in the county of Limerick. A respectable gentleman, Mr. R. Ryan, was assailed on the high road by two miscreants who fired blunderbusses at him and his servant, and who supposed they had succeeded in killing him. This gentleman was a Catholic Magistrate, much respected—was a near relation of his, and took an active part in Catholic affairs. This person, however, was near falling a victim to those who had been driven to desperation by Orange landlords, who knew that they could escape by pursuing such a system of Government as had been carried on for such a period in Ireland, and which, he feared, was about to be revived. If agitation were desirable to him, the course now pursued by the Government would do more to encourage it than any other that could be adopted, and therefore it was not his interest to throw any impediment in their way. He feared that he had trespassed too long on the attention of the House, but he had been led to do so by the speech of the right hon. Baronet. He warned the right hon. Gentleman of the consequences of receiving Addresses, or giving answers to bodies such us those which had been the subject of that night's discussion. He cautioned the right hon. (the Secretary for the Home Department), that if he (Mr. Goulburn) had sent an answer to an Orange Address to Ireland, he had been guilty of a misdemeanor. [" *No, no, no!*"] He was prepared to show this. The Act stated, that " any person who, after the expiration of fourteen days next after the expiration of this Act, shall directly or indirectly maintain correspondence or intercourse with any such society, association, brotherhood, committee, lodge, club or confederacy or with any division, branch lodge, committee, or other select body, president, treasurer, secretary, delegate, or other officer or member thereof, as such, shall be deemed guilty of an unlawful combination and conspiracy." Did not this prove that the correspondent of an Orange Lodge in Ireland was guilty of a misdemeanor? If the right hon. Gentleman had sent an answer to Ireland, let him avow it and name the Lodge. He would accept the offer of the gallant Colonel, as to the declaration and test of the Orange Lodges; and then, if any correspondence took place, they could try the question. But it would be folly for him to attempt to get a bill of indictment from the Grand Jury of Dublin—they never would find such a bill. Even if the Government brought those who were guilty of such an offence to trial, they would be defeated, as they were before; for the Sheriff of Dublin would again get an Orange Jury to defeat the prosecution. A law had passed to make all the King's subjects equal, as regarded their religious opinions, and yet the members of this Corporation had had the audacity to draw the line of demarcation between different classes, and to conspire to beard the King's Government. What would the gallant Colonel, and those who acted with him, say to a body of the Catholic nobility and gentry forming themselves into societies, and holding Lodges, and declaring that no Protestant should belong to them? Would not such conduct excite the abhorrence of the good sense of the country, and rouse the indignation of all Europe? And yet what had been the conduct of the Orange Lodges in Ireland? He would merely refer the House to one of many testimonials he had in his possession, as to the conduct of the Orangemen of Ireland. Lord Viscount Gosford, in his address to the Grand Jury of the county Armagh, had said, "It is no secret, that a persecution, accompanied with all the circumstances of ferocious cruelty, which have in all ages distinguished that dreadful calamity, is now raging in this county. Neither age nor sex, nor even acknowledged innocence as to any guilt in the late disturbances, is sufficient to excite mercy, much less to afford protection. The only crime which the wretched objects of this persecution are charged with is a crime, indeed, of easy proof—it is simply a profession of the Roman Catholic faith, or an intimate connexion with a person professing this faith. A lawless banditti have constituted themselves judges of this new species of delinquency, and the sentence they have denounced is equally concise and terrible. It is nothing less than a confiscation of all property, and an immediate banishment. It would be extremely painful, and surely unnecessary, to detail the horrors that attend the execution of so rude and tremendous a proscription—a proscription that certainly exceeds, in the comparative number of those whom it consigns to ruin and misery, every example that ancient and modern history can supply: for where have we heard, or in what story of human cruelties, have we read, of more than half the inhabitants of a populous country deprived, at one blow, of the means as well as of the fruits of their industry, and driven, in the midst of an inclement season, to seek a shelter for themselves and their helpless families where chance may guide them? This is no exaggerated picture of the horrid scenes now acting in this county; yet, surely, it is sufficient to awaken sentiments of compassion and indignation in the coldest bosoms. These horrors are now acting with impunity. The spirit of impartial justice (without which law is nothing better than an instrument of tyranny) has for a time disappeared in this county, and the supineness of the Magistracy of Armagh is become a common topic of conversation in every corner of the kingdom."—This was no exaggerated picture of the present state of the north of Ireland. The horrors thus eloquently described were now acting with impunity, and the law of the land was daily violated without the interference of the constituted authorities. The conduct of the Magistracy of Armagh, on a recent occasion, had been a topic of observation in every part of the kingdom. It had been his anxious wish to conciliate, and he had been taunted with his attempts to do so. He had spent five years in this attempt. He had exerted himself to get an act of justice done to the Grand Master of the Orangemen, and had, after great difficulty, succeeded in inducing the Government to reconsider the subject; and what was the treatment he had experienced from this body in return? In conclusion, he would tell them, that if the Government were determined to persevere in the course which it appeared they had commenced, he prophesied—and it would be no futile prophesy—that their proceedings in Ireland would be most disastrous.

Mr. *Shaw* said, he was aware how much the time of the House was wasted, and their patience wearied, with discussions of that nature; more partaking of the character of a personal Irish wrangle, than calculated to lead to any profitable result; he had, however, been so personally alluded to, and so much personal abuse poured upon friends whom he esteemed and valued, that he was persuaded the House would bear with him for a short time in reply to the hon. and learned Member for Dublin. With regard to the Question in point of form before the House, it was not the real object of the Motion of the hon. Gentleman (Mr. Sheil,) nor of the discussion which followed it; no one doubted that, when congratulatory addresses, respectfully worded, were presented to his Majesty from individuals describing themselves as they might, that such addresses should be acknowledged as having been graciously received. Some hon. Members opposite would probably be disappointed, if he did not enter into a justification of Orange societies; now, for his own part, he never had belonged to any political society or association in his life—he never had encouraged them—and, if his individual opinion were of any importance, he never even had approved of them—but then he must say, that was a very different thing from their being illegal; they never had been pronounced illegal by a competent authority, and the argument of the hon. Gentleman (Mr. O'Connell) that night, had entirely failed to prove their illegality; the hon. and learned Gentleman had confounded a sign with a test, and if the sign by which Members of that body knew each other rendered it illegal, that must equally apply to Freemasons, Friendly Brothers, and all other societies where such signs existed; whatever his own opinion might be, he could not but feel a deference for the opinion of those who differed from him in that respect, and he was bound to say, that some of the most estimable and worthiest men in Ireland were Members of Orange lodges, who would not for a moment continue so, if they believed them to be illegal—men who regarded these societies as merely defensive—who intended no offence by them, and he would add, that it was not easy for English gentlemen, unacquainted with the peculiar circumstances of Ireland, to form a just opinion on the subject; what might apply to a natural and wholesome state of society, might be very inapplicable to the present distempered condition of Ireland. [*Cheers from Mr. O'Connell.*] If he rightly understood the cheer of the hon. and learned Member (Mr. O'Connell), his answer to it was, that it ill became those to complain of the symptoms, who he (Mr. Shaw) sincerely believed had been the cause of the disorder. It was really too much for common sense and ordinary patience to endure, that hon. Members opposite should now come forward to denounce political and exclusive associations, who had, all their lives, been the instigators and promoters of them. Aye! who had lived, and moved, and had their very being in them. [*Continued cheering, in which Mr. O'Connell joined.*] The hon. and learned Gentleman (continued Mr. Shaw), cheers—his delicate nerves, forsooth! seemed quite shocked at the notion of an exclusive society, or one even bordering on illegality; this reminds one of the old story of the giant, who lived all his life upon windmills, and was at length, choked by a morsel of fresh butter; the hon. Gentleman, whose boast it has ever been, that he was the father of the Roman Catholic Association, *eo nomine*, exclusive, is frightened at the shadow of an exclusive society. The truth is, the hon. Member acts such various characters—is so entirely different in and out of this House, that it is no wonder the House is imposed upon by him. Would the House believe, that within the last few weeks, I, myself, heard the hon. Gentleman, when addressing his own constituents, and turning to a large body of Orangemen who were present in a particular part of the court-house, referring at the time to his favourite topic of a Repeal of the Union, assure them that he had no objection to their being Orangemen; that it was only those foreign Saxons (or some such expression, speaking of Englishmen), who tried to sow dissension between Orangemen and Roman Catholics; that before the Union, Roman Catholics used to join cordially with Orangemen in commemorating the birth day of King William, and that, please God, after its repeal, he (Mr. O'Connell) would walk arm in arm, with his brother Orangemen round King William's statue in College-green, and, suiting the action to the word, the hon. Gentleman marched on the table, from which he was speaking at the time, to the step, that he and the Orangemen would together perambulate King William's statue, when "the odious Union was repealed." Well, not three days passed after that scene of acting—when the hon. Gentleman called that very body of men whom he was then trying to cajole, "a base, brutal, bloody, cowardly faction"—and then, indeed, he deplores that there should be any party animosity kept up in Ireland. So with respect to the toast of "the glorious memory," about which the hon. Gentleman and his friends complain so bitterly, as calculated to exasperate the feelings of Roman Catholics; the hon. and learned Gentleman reviles them for it in their absence, and when they are present encourages them by his own example to drink it. ["*No, no!*" *from Mr. O'Connell*]. Will the hon. Gentleman deny that he did so at Sheriff Scott's in Dublin—Sheriff Scott at the time being considered to favour the Repeal Question?—or that at a dinner at Drogheda where the hon. Gentleman presided—called to promote the Repeal of the Union, and at which many Orangemen attended—the hon. Gentleman not only proposed the toast of "the glorious, pious, and immortal memory, of the great and good King William"—but said he would not be satisfied unless he drank it in Boyne water, and sent for a bucket of water from the river Boyne, (which washes the town of Drogheda), for that purpose. The hon. Gentleman said, all the legal appointments in Ireland under the present Government have been "Orange," knowing perfectly well at the time that not one of the gentlemen appointed has the slightest connection with Orangeism—first, the Attorney-General, an eminent public officer, who was acting under the late Government, and merely continued in office by the present; then the Solicitor-General.—He defied the hon. Gentleman (Mr. O'Connell), or any Gentleman who supported him, to stake his reputation as a lawyer, or his word as a gentleman, by denying that Mr. Pennefather was in every respect pre-eminently qualified for the highest office in his profession; again, the two Assistant-Barristers—than whom there could not be two more respectable or competent men found at the bar; the hon. Gentleman passes one by, merely calling his an Orange appointment, probably because that gentleman was supposed to be of what are termed liberal politics, and comes to Mr. Robinson, with respect to whom the hon. Gentleman states three facts, all unfounded—first, that he was the nephew of Lord Farnham, Mr. Robinson being no relation of Lord Farnham; when that was contradicted, the hon. Gentleman said, "oh, then he was moral agent to Lady Farnham" (without dwelling upon the indelicacy of such a reference to a lady who was dead, whose eminent virtues and exalted character had, in an almost unparalleled degree, adorned the society in which she moved)—the answer is, that Mr. Robinson was never in the employment of either Lord or Lady Farnham; and thirdly, the hon. Gentleman had that night accused Mr. Robinson of being of the Orange faction; whereas, he had never been connected, as he (Mr. Shaw) believed, with any political society; and one fact he knew, that to avoid even the appearance of being a party man, Mr. Robinson had not voted for him (Mr. Shaw) at the last contested election in the University of Dublin; the hon. Gentleman (Mr. O'Connell) had then alluded, in terms of reproach, to his (Mr. Shaw's) being made a privy councillor, now, whether or not he was worthy of that honour, it was not for him to discuss; he might, however, be permitted to say, that he had neither solicited nor expected it; but as it was the habit of the hon. and learned Member, and some of those who sat near him, to accuse him (Mr. Shaw) of agitation—sorry as he was to occupy a moment of the time of the House in a matter personal to himself—yet as he saw the hon. Member for Drogheda (Mr. O'Dwyer) in his place, he would entreat the House to give him their attention to one instance as a specimen of the courage with which some hon. Members would plunge into facts of which they knew nothing, rather than not purchase notoriety on any terms. The hon. Gentleman (Mr. O'Dwyer) had stated, without any provocation on his (Mr. Shaw's) part, that agitation had made him a judge, a Member of Parliament, and had since procured for him honours of which he was unworthy: as to what had occurred since he entered political life, that might be matter of opinion, so that he would not say a word upon that point, but simply confine himself to matter of fact; the hon. Gentleman (Mr. O'Dwyer) then asserted, that it was by agitation he (Mr. Shaw) had made himself a judge and a Member of Parliament; now he (Mr. Shaw) declared, upon his honour as a gentleman, (and when he did so, he appealed with as much confidence to every Gentleman on the other side of the House as his own for credit,) that up to the period of his obtaining his present judicial office, and from thence to the Dissolution of Parliament, which led to his return, as Member for Dublin, he had never interfered in politics, nor been concerned in any matter to which agitation could attach, more than the child unborn. Perhaps, however, the hon. Gentleman would say that his (Mr. Shaw's) father had been an agitator before that in Dublin politics; with the permission of the House he would mention, that shortly before he was appointed Recorder of Dublin, an important event had occurred in his father's political life; he had lost the honour of representing the city of Dublin, which he had enjoyed uninterruptedly for two-and-twenty years — and was it by an act of agitation he had lost it? No!—It was notorious he had lost it by voting in favour of the Roman Catholic Claims. Now he did not charge the hon. Member for Drogheda (Mr. O'Dwyer) with stating that which he knew to be untrue, but he did say, that hon. Members should not make bold assertions, affecting the characters and feelings of others, when they were utterly and entirely ignorant of the subject on which they spoke; he would only add, that he was not aware of having ever, either in or out of that House, made a personal allusion to the hon. Member for Drogheda; he should take no farther notice of any observation that hon. Member should make of him, but close the subject with this one observation, that while the hon. Gentleman (Mr. O'Dwyer) had shown entire ignorance of the cause of his (Mr. Shaw's) holding a judicial office, he had no doubt that the hon. Gentleman (Mr. O'Dwyer) constantly kept in sight the fact of his holding such an office, when, without the least provocation on his part, the hon. and learned Member so frequently singled him out for personal attack. To return to the charges of the hon. Member for Dublin.—Who was there, not immediately, and at the time, of his own party, that did not fall under his vituperation? Lord Wellesley — Lord Anglesey—Lord Stanley—as well as the distinguished Nobleman who now held the office of Lord Lieutenant of Ireland—and the hon. Member stated, that Lord Haddington had been heard to say, that Ireland must be governed on Orange principles; he could, from the mouth of the Lord Lieutenant himself, give the most direct and unqualified contradiction to that statement—but the truth was, every one and everything was "Orange," in the estimation of the hon. Member, that did not exactly conform to his arbitrary will; the hon. and learned Member had lately said, that he divided all Ireland into "Orangemen" and "Christians," and among the "Christians" he classed none but his own servile adherents; while, in the opposite ranks, he classes, for example, "the Orange Knight of Kerry"—yes, the hon. and learned Gentleman called the Knight of Kerry "Orange," well knowing that that worthy and accomplished gentleman was all his life opposed to Orangeism, and had, for twenty-five years, separated himself from his friends and from office—to give his active and unwearied support to Catholic Emancipation; and why did the hon. Member call him Orange? In order that he might point out those who voted for him as objects of assassination; and that was the hon. Member's freedom of election.—[Mr. *O'Connell* called upon the Speaker to say, whether such language were orderly?

The *Speaker* hoped the right hon. Gentleman would not persist in using such language.

Mr. *Shaw:* Sir, I at once submit to your correction. I withdraw my inference, and will simply state the fact; the hon. Gentleman publicly announced, that "whatever miscreant Catholic voted for the Orange Knight of Kerry, should have 'a death's head and cross bones painted over his door.'" I know not what construction Englishmen may put upon this expression, but I am well aware, considering by whom and to whom it was addressed, what meaning it was intended to convey, and did convey, in Ireland. Would the hon. Gentleman, who has talked so much of honest jurors this night, venture to submit the construction of those words to any twelve honest men upon their oaths? Would he submit them to the opinion of the distinguished Roman Catholic Nobleman who is the Lieutenant of his own county? Were I to mention Lord Kenmare's opinion, I should run the risk of being again out of order—and, good God! Sir, how long is the peace of a country to be sacrificed to the ambition of one man? and is he to be suffered to enrich himself upon the crimes and the penury of his infatuated countrymen? The hon. and learned Gentleman had animadverted upon the composition of the Government—of his (Mr. Shaw's) right hon. friends below him, and the nature of their supporters; he thought he might very fairly retort upon those on the opposite side, and he would seriously ask the noble lord (Lord John Russell) if he thought he could consistently and honourably descend from the high station he held at the head of the Whig aristocracy in the country and that House, and coalesce with the hon. Member for Dublin and his followers? Did the noble Lord suppose that the House or the country forgot that the last Session of Parliament commenced by the noble Lord and his colleagues putting it into the mouth of his Majesty to denounce, almost by name, the hon. and learned Member, attributing the insubordination that prevailed in Ireland to the practices used by him to produce disaffection to the state, deploring the ruinous consequences to the deluded instruments of agitation, and calling upon all the loyal and well-affected subjects of the King to unite with the Government in putting an end to the excitement and violence caused by the individual (all but named in the King's speech) with whom the Members of that very Government are now uniting in factiously opposing the present Government. Then, as to the Repeal of the Union; did not the Members of the late Government declare, that civil war would be preferable; that they would "resist it to the death," and treat it as bordering on treason to the state; yet, the hon. and learned Gentleman, at the very meeting at which he settled the preliminaries of the present coalition, announcing that the new Ministry was to be composed of one-third altered Whigs, and two-thirds Radicals, and that he would be a member of the Administration, stated, that while he would not introduce, for the present, the Repeal Question, but confine himself to "routing the enemy," yet, in the same speech, he declared that "it was the strongest conviction of his mind, and the most determined decision of his judgment, that nothing could eventually secure Ireland, but a Parliament in College-green." And at another meeting the same day, declared, that he would continue "to agitate at all events." The whole burden of the hon. and learned Gentleman's speech was "The Repeal of the Union."—waking or sleeping he told them that it was the darling object of his mind.—He said, that they had met "to register a vow before high Heaven to Repeal the Union." In the same speech the hon. and learned Gentleman treated Catholic Emancipation and Parliamentary Reform as but means to that end—and said that his hopes would never be accomplished, nor his labours completed, till he "beheld the Union prostrate in the dust." Was this then one of those principles in which the noble Lord considered, as he said the other night, that one part of the coalition thinks the other goes only "too slow," and the other only regards them as "too impatient." Was their difference merely in point of time? and were they agreed in the principle? Let the House then look to what was the bearing of the hon. Member during the last Session to those upon whom he was now ready to lavish the honied accents of his praise and approbation; why, the entire vocabulary (and it is no scanty one) of his vituperation was poured upon them.—He recollected one short letter, which he had before quoted, written in June or July last, after the Cabinet had been, as hon. Members at the other side said, purged of the noble Lord, the Member for Lancashire, and his Friends—he believed it contained fewer lines than expressions such as these applied to the noble Lord (Lord John Russell) and his colleagues—"an audacious and imbecile Ministry"—"a base and atrocious Whig faction"—"a contemptible and drivelling Administration"—"disastrous tyrants"—"the bane of Ireland"—calling upon the Irish people to resist their tyranny, and "scorn the instruments of Whig despotism." Were these the seeds of that concord which seemed now gathering? If the noble Lord knew but all, he had not much reason to be proud of his new conquest. The noble Lord must not indulge the fond hope that he was wooing the first love of the hon. Member for Dublin; the thin veil of modesty which covered the hon. Gentleman (Mr. O'Connell's) present motives must not deceive the noble Lord, or induce him to think that he was winning the maiden virtues of the hon. Gentleman. The noble Lord was receiving but the refuse of his political opponents—the alliance had been over and over again proffered to and repudiated by them. Frequently during the last Session had the hon. Member (Mr. O'Connell) openly said to him (Mr. Shaw) and many others, "now is your time to join us to oust those despicable Whigs; better have Tories, who will be at least candid and straight-forward, than such double-dealing miscreants as these Whigs." Under those circumstances, will the noble Lord, from any feeling of wounded ambition or party resentment, condescend to means for the annoyance of his political opponents, which under similar circumstances they rejected?—and without a reasonable hope of reinstating his own party in office, stoop—for the mere purpose of vexation to a rival party—to a course which that rival party had, when a similar opportunity presented itself to them, considered inconsistent with their honour and their duty.

Then as to the state of Ireland—he (Mr. Shaw) entreated the serious consideration of the House. He would deprecate as much as any man that the divisions and difficulties of that country should be left to contending parties there to settle—he desired favour for no party, but an equal administration of justice to all. He did not contend that any class was impeccable; and let all that violated the laws meet their just punishment; but this he must say, that if hon. Members, at the other side, dragged forward whatever indiscretions or excesses had been committed by Orangemen, there was abundant store for recrimination at his side of the House. He would not then mention any of the various cases which presented themselves to his mind, to prove the universal terror and intimidation which was spread by the other party during the late elections; but if hon. Gentlemen at the opposite side provoked him to it, he would confine his selection of proofs to instances of the treatment of Roman Catholic voters by Roman Catholics. From those alone he could cover the Table of that House with well authenticated documents, affording evidence of the direst persecution by Roman Catholic clergymen and agitators against Roman Catholic voters, that ever disgraced a civilized community. All he required for Ireland was a moderate, settled, and firm government. He would not then touch upon the question in regard to England; there, there might possibly be room for a difference of opinion; but, as regarded Ireland, time pressed too hard, and circumstances were too urgent, to admit of any game of party tactics. The question there was hourly impending, whether we were to have, as our permanent lot, peace or agitation—anarchy or any form of Government—security for property, or a general scramble—safety for our lives and families—or the hourly apprehension of the lurking assassin or the midnight murderer, instigated by selfish and sordid agitators [*Cheers from Mr. O'Connell.*] Mr. Shaw turning to him (Mr. O'Connell), then added with great emphasis and warmth) yes! the question in short is this. The English nation must decide it, and very soon, whether in Ireland we are to enjoy the common rights and rational liberties of British freemen — or wear the heaviest yoke that ever slavery imposed—the iron despotism of a single dictator, wielding, with irresistible sway, for every evil purpose, the passions and the physical force of an ignorant and deluded multitude.

Mr. *O'Connell* said, as the hon. and learned Gentleman (Mr. Shaw) had named him (Mr. O'Connell) in connexion with what he would describe to be disturbances in Kerry, he begged to ask him if he were aware that not a single assault or offence against the law was committed during his (Mr. O'Connell's) canvass, or since? If he have not heard of any assault or offence being committed, he requested him to ask the hon. Member for Coleraine (Alderman Copeland) the extent of outrage committed, on the other hand, by the Orangemen in that part of Ireland.

Mr. *Shaw:* Sir, with the permission of the House I will answer the question of the hon. Gentleman without one word of comment; he asks me if I am aware of one single fault or offence against the law that was committed in the county of Kerry, before, during, or since the Election? I have been assured, Sir, on the highest authority — and I believe — that, immediately before the Kerry election, the hon. and learned gentleman (Mr. O'Connell) himself went to the house of a man of the name of David Murphy, a Roman Catholic trader in the town of Killarney—asked him not to vote for the Knight of Kerry—and, upon Murphy assuring him that he would, the hon. Gentleman then said he would draw a cross before his door, and that he should feel the consequences; shortly after which the house of this Murphy was broken into, and he was violently assaulted.

Mr. *O'Connell;* I declare, Sir, solemnly, in the presence of the God that shall judge me, that the whole story is utterly false.

Mr. *O'Dwyer* felt himself called upon to offer some remarks to the House on the speech of the right hon. Member who last spoke under the umbrageous protection of the Treasury Bench. He should first thank the hon. and learned Member for informing him and the House, that the right hon. Member held a judicial office. He was sure, that there was very little of judicial demeanour in the exhibition which the right hon. Gentleman had just made, to suggest the fact to the recollection of the House. The House would now understand what quantity of calmness and temperance was required to constitute an

Irish Judge. The right hon. Member had been pleased to intimate, that he (Mr. O'Dwyer) had been encouraged to come into personal collision with him. He did not think, that this was a very judicial observation. He would dismiss this subject, and he would apply himself to the observations of the hon. Member for the University of Dublin, who spoke of the disturbed state of society in Ireland; of the impossibility of governing that country by ordinary means, and then attempting to invoke English prejudices, had adverted to the desire of the popular party in Ireland for a Repeal of the Union. It was true, that there was a distempered state of society in Ireland; that must be a distempered state of society when the ascendancy of a faction over the people was encouraged by authority; but with regard to the impossibility of governing Ireland by ordinary means—to say this, was the cant of faction. Englishmen were too clear sighted to believe, that measures of just Government would have less influence on the Irish people than the rest of the human kind. The Irish resembled all other men—they hated and they resisted oppression and injustice, and they were right to do so, and this was the real complaint of the faction against the people; but there would be no people more easily subdued by kindness, nor more quickly won over to the support of a Government than the people of Ireland, if they were treated with benevolence and sound policy. Englishmen he hoped were not to be easily excited by alarms of the Union being in danger, if the Orange party in Ireland were not encouraged and sustained. Why did the people of Ireland seek for Repeal? Because the Government had ever preferred to rule Ireland through a faction, than to govern by means of the people's love. The cry for the Repeal of the Union gained more strength in Ireland during the disastrous Administration of the noble Lord (Lord Stanley), who sat on the opposite Bench, than by all the efforts of the Member for Dublin. He had ever asserted, that he believed the people of Ireland were not carried away by an abstract dislike to the union with England, so much as by the conviction, which had been too frequently justified by facts, that the faction in Ireland was preferred to Ireland herself in the estimation of English Parliaments. He was sure, if the people of Ireland received full justice from an Imperial Parliament, they would be satisfied. At all events, the prescription of the Member for the University of Dublin, which recommended a Government to be conducted on his principles, was not the remedy to correct any desire that might exist for a separate legislation in Ireland. The hon. Member, to whom he should once more advert, had denied that he had been elevated by political agitation. Without meaning to be offensive to the hon. Member, he would repeat, that he could not conceive by what miracle he became a judge almost as soon as he became an advocate. The hon. Member was opposed in his election as Recorder by seniors of long standing, and yet the hon. Member outstripped all competition. He gave him credit for all the talents that he possessed, and all the industry, and all the good luck too, but he still asserted, that even with these qualities he would never have been Recorder of Dublin, but for his politics. Who returned him to Parlialiament? The freedom of Dublin, for the city was not then enfranchised. Did not his politics and his agitation, by which he meant his active politics, here stand him in need? Why was he selected to represent the University of Dublin? Because he was the sturdy champion and the tumultuous upholder of the Established Church in Ireland. He was now, by his own admission, the adviser of the Lord Lieutenant. He was the co-governor of Ireland. The House would remember the former Administration of the right hon. Baronet opposite, and the contumelious manner in which, at that time, Lord Anglesey was treated, because that nobleman had ventured, forsooth, to invite an estimable Irish Peer of popular politics to the viceregal party. The House would not fail to observe the fidelity to faction, which characterised the present government, when in the Administration composed principally of the same men—the adviser of the King's Lieutenant—the instigator of the policy to be pursued in Ireland—the Councillor—the Privy Councillor of the Lord-lieutenant, was the intemperate leader of a violent and most unpopular party. Contrast the two facts, think of the proscribed Peer, and the cherished corporator. There had been something said of the creators and the creatures of agitation; that was only bluster. There were to be found those who agitated to some purpose beyond the mere assertion of cold and unproductive principle. He had heard of a late profitable employment in the stamp department of Ireland, in which, by a strange coincidence, a gentleman named Shaw, was the fortunate recipient of the Minister. Thus, there was some profit to be made of agitation by some of the loudest declaimers against it. He should conclude with expressing his delight at the occurrences of that night. The party stood candidly revealed, and he augured great good to Ireland from the naked exposure by themselves of their principles and their conduct.

Lord *John Russell* spoke to the following effect: I have paid considerable attention, Sir, to the speech just concluded by the right hon. and learned Member for the University of Dublin (Mr. Shaw), and I must confess that to me it appears that the right hon. and learned Gentleman seems to consider, that personal remark and personal invective will suffice to satisfy the House of the soundness of his argument as well as the purity of his intentions. Now, I beg to say, that I, for one, feel little interest in personal remark and invective; and whether the hon. and learned Gentleman be right or wrong in the allusion he made to the circumstances which took place in Dublin and elsewhere, and leaving him to join the Orange Association, or any other society, I do feel, as one interested in the peace of Ireland, that the tone of the right hon. and learned Gentleman—that the violence with which he spoke—that the total want of candour which he exhibited towards his political opponents—that the entire absence of moderation in his manner of treating the subject before the House; these things, I say, Sir, do make me seriously regret that his Majesty has chosen him as one of those who are to give him advice in his Privy Council. The right hon. and learned Gentleman has asked me whether I am about to take a part in forwarding the Repeal of the Union, and whether I do not remember the advice given by the King's late Ministers to his Majesty, when Parliament met in February last. Sir, I perfectly well remember it; and I say now, as I did then, that I am ready to oppose, by every means in my power, the Repeal of the Union; because I should consider it equivalent to the separation of the two countries, and the dismemberment of the empire. But if the right hon. and learned Gentleman will please to carry on his examination to a more advanced period of the Session, he will find, that shortly after the Motion for the Repeal of the Union, my vote against which I gave as cordially as I ever did any vote, I declared that I should not feel satisfied in giving that vote, unless we rendered justice to all the complaints of the Irish people; and that it was only by the course of policy to be pursued, the policy being, that every petition of the Irish people sent here, containing a just complaint, should receive as full attention as it would if this were an Irish Parliament sitting in Ireland—that it was only on condition of doing that justice to Ireland that I could feel myself conscientiously entitled to oppose, by every means in my power, the Motion, the object of which was to get the Union repealed. Well, Sir, do I stand in a different situation now? I then declared against a Repeal of the Union; I declared also, that with respect to Irish Tithes and the Irish Church, there were some just grounds of complaint; and I declared further, that I would not continue a Member of the Cabinet and a Member of this House without giving a vote in favour of a redress of those grievances. What, then, has the right hon. and learned Gentleman to reproach me with? Have I altered any of my former opinions? Have I changed my course of conduct? On the contrary—on the one hand I said that if the hon. and learned Member for Dublin appeared as the advocate of the Repeal of the Union, I should oppose him, and at the same time, whenever he brought forward a question founded on a matter with respect to which Ireland had just cause to complain, I should think it my duty to render full justice to that complaint. Such is my answer to the appeal the right hon. and learned Gentleman has made to me; and I think I shall now stand acquitted in his eyes and in the eyes of the House, of having pursued on this occasion a course at all inconsistent with my previous conduct. I will now say a word as to some other questions that have grown out of the Motion before us. I came into the House just when the right hon. Baronet (the Chancellor of the Exchequer) was declaring, that the Orange Societies, even if such societies did conform to the letter of what Acts of Parliament required, might do as much injury to the state of society, as if an illegal oath, or illegal declaration were subscribed. Of this I have no doubt, and I cordially assent, therefore, to the proposition of the right hon. Baronet. But has the Government of Ireland always been conducted in a spirit conformable to the language now held by the right hon. Baronet? If I look to the spirit of the Government of Ireland, I am obliged to say that it does not depend on what a Chancellor of the Exchequer or even a Prime Minister shall declare in this House, while in Ireland a different system of conduct is allowed. The party there will care little for your speeches and declarations in Parliament; for they will consider that, notwithstanding such speeches and declarations, Orange Associations are the object of your especial protection. I consider that the character of the Members of the present Government bears full testimony to the approbation and support of Orangeism. I cannot help considering the hon. and gallant Member opposite (Colonel Perceval) as the organ of that body in this House, when he comes forward and avows his connexion with it. Does he now say to the House, "I shall retract my Orange opinions, I shall separate from that connexion?" No.; his whole speech was to the effect, "I declare myself an Orangeman, and the society to which I belong, and of which I am the organ here, is not an illegal, but an organised society, bound together by a special bond of association. I will allude to another circumstance. What was the first act of the present Government? It was to offer to the Earl of Roden the highest place in his Majesty's household—one in which he would be entitled to be with his Majesty in opening the Houses of Parliament, and to accompany him on all occasions of state and ceremony. Can any one believe, under such circumstances, that this Government wishes to discredit Orange Societies, when they offer their patronage and countenance to those who are so connected with these Societies? Will the great body of the Orange party in Ireland believe—notwithstanding all the speeches of Ministers in Parliament—that they mean seriously to discountenance those Societies? Did it appear that in offering their patronage thus they ever said to the noble Earl, "You must give up Orangeism?" Did they insist that he must cease to belong to that party if he wished to make one of them? Without saying anything of the kind, with one breath the Government affected to discourage Orange Societies, and with the next they bestowed upon them their highest favour and protection. There is another question to which I will take permission to allude. My noble Friend, the Member for North Lancashire, assisted in contriving for Ireland, and notwithstanding the opposition then made to it by Members of the present Government, succeeded in introducing a system of education there, the tendency of which was to promote the harmony, the peace, and the moral character of the country. That measure of education for Ireland was denounced by Gentlemen connected with the present Government in terms of the greatest violence. They did not merely except to that measure—they did not merely assert it would not succeed, but they denounced it as unscriptural, and that the then Government were grossly mutilating the word of God. I will take the liberty of reading to the House an extract from a speech delivered by the right hon. Gentleman, the Recorder for Dublin,—a speech delivered by him at a meeting held at Exeter Hall, on the subject of the measure for Education in Ireland, a report of which appeared in the newspapers of the day. This extract of the speech was afterwards quoted by Lord Radnor in the House of Lords in the Session of 1832, and is as follows:—"The Government might make what regulation it pleased; but he trusted the people knew their duty too well to submit to its enactments. It might degrade our mitre—it might deprive us of our property, but if the Government dared to lay its hands upon our Bible, then we must come to an issue. We will cover it with our bodies—we will. My friends, you will permit your Christian brethren to cry to you in vain? In the name of my country, and my country's God, I will appeal ftom a British House of Commons to a British public. [Mr. *Shaw* denied that he had ever said so; the statement was made by Lord Radnor; he never said anything like it.] Lord John Russell then continued the extract—"His countrymen would obey the laws so long as they were properly administered; but if it was sought to lay sacrilegious hand on the Bible—to tear the standard of the living God, and raise a mutilated one in its stead; then it would be time to halt between two opinions—then in every valley and on every hill would resound the rallying cry—"To your tents O Israel!" The right hon. Gentleman denies the correctness of the report of the Speech. Why it appeared in the *Standard*, and other newspapers of the day; it was afterwards quoted by Lord Radnor in the House of Lords, and now the right hon. Gentleman takes, he says, the first and only opportunity of giving it a contradiction. But did the right hon. Gentleman and his Friends think, that many of the present Ministry were converted by that Debate? Did they think that by the formation of the present Government they would be enabled to get rid of those schools which taught unscriptural doctrines, and from a mutilated Bible? Why, the present Administration claimed a character of impartiality and fairness, and they had announced their intention to keep up their schools. This is their language on the one hand; but what is said in other quarters? An Address has been presented to the King from the friends of the present Government in Ireland, which thanked his Majesty for dismissing the late Ministry, and the more especially as that Government had been the means of establishing the schools which taught from a mutilated Bible. If the Members of the present Government are at all guided by principle, let them say, the Act being passed for establishing the schools, they will not seek to alter it; let them say they will aid in forwarding the success of those schools which their supporters previously denounced as mutilating the word of God, and as being anti-scriptural. I ask this for the peace of Ireland. I cannot understand a wavering and unsettled conduct. Let them openly and candidly say, "We recant all we have before said," or let them at once and distinctly make an opposite declaration. Let them either say, that the present system of education is liberal and wise, and that they are content to give it full effect under the present establishment, or that it is not. Let them say or do one or the other. It is not fair, that they should, on the one hand, take an opportunity of promoting societies which are violent and illegal; and on the other, come before a British House of Commons with different representations. This system is not wise: nay, I will say it is not honest. While I maintain opinions and principles, I will maintain them consistently; I will maintain them in office and out of office; and I ask the right hon. Gentlemen opposite, what is the consistent and uniform plan on which they propose to govern Ireland.

Sir *Henry Hardinge* hoped the House would allow him to say, that he had nothing to explain or recant on the subject of national education. He had never voted against the plan of education to which reference had been made, neither had his right hon. Friend. He had not called in question the conduct of the noble Lord when in office as respected that question; but he confessed he could not help feeling some surprise, when he saw that noble Lord the leader of an Opposition which had formed a coalition with the hon. and learned Member for Dublin; when he remembered the conduct of the hon. and learned Member for Dublin in reference to the Ministry of which the noble Lord (Lord John Russell) was a Member, and which he denounced as all that was bad, treacherous, and wicked; and when he recollected that that Government had thought proper to single out that hon. and learned Gentleman (Mr. O'Connell) in a speech put into the mouth of his Majesty, in which that Gentleman was almost held out to the country as a fit object for the block; he confessed he could not help feeling some surprise when he found the noble Lord ready to assent to that coalition. He could not help referring to one fact of the conduct of the hon. and learned Member for Dublin: In a speech made by that hon. and learned Gentleman to his constituents, only so recently as the 15th of February last, when he told them he was going to take his seat in Parliament, that he expected an Administration would be formed of which he could consent to form a part, and that he would consent to do so on certain conditions, but that he would never relinquish the Repeal of the Union, nor his hope, that he would one day see a Parliament sitting in College-green. The hon. and learned Gentleman would not deny this; it had been stated in newspapers attached to his cause, to which he could refer. The inconsistency of the Whig party was remarkable in coalescing with the hon. and learned Member for Dublin, who had stated his readiness to take office, for the express purpose of carrying the Repeal of the Union, which nothing should induce him to give up, The noble Lord (Lord John Russell) had referred to the hon. and gallant Member for Sligo (Colonel Perceval). The gallant Colonel was not called upon to pledge himself that he no longer would be an Orangeman, because he had accepted office, but had said that if he could be convinced that the Orange associations were illegal, he would give them up. The Government was said to be carried on on Orange principles, in consequence of its having named Mr. Gregory a Privy Councillor; that right hon. Gentleman had faithfully served his country in the capacity of Under Secretary of State of Ireland, and his conduct during that period was distinguished for uprightness and impartiality, and the Government had thought it right, after his retirement from office, to bestow that honour on him which he had so well merited. He had no intention of saying anything personally offensive to the hon. and learned Member for Dublin, but he would refer to the declaration made by that hon. Gentleman that he would have marked on the door of any one who voted for the Orange Knight of Kerry, a death's head and bloody bones. The party in Kerry who supported the right hon. Knight of Kerry, considered it to be a threat of assassination. He would not, he did not wish to, attribute that motive to the hon. and learned Gentleman; but several individuals had asserted that the threat had had the effect of deterring persons from giving their votes to the Knight of Kerry for fear of assassination. [*Cries of* "*Name !*"] He would name a very high authority, the authority of the Lord Lieutenant of Kerry, who was a Catholic nobleman of large fortune, and independent character. He did not say it was the intention of the hon. and learned Member, but that it was the effect of his speech upon those who voted, of which he (Sir Henry Hardinge) complained, and it was asserted upon oath, that it was believed that the statement made by the hon. and learned Member for Dublin had deterred many from voting freely from their fears of assassination. He was asked by the noble Lord (Lord John Russell) to state on what principles they intended to conduct the Government—he would at once declare, on principles of the strictest impartiality. It had been stated by the hon. and learned Member for Dublin (Mr. O'Connell) that the Lord Lieutenant was not impartial. He asked that hon. Gentleman to state where the Lord Lieutenant had acted partially. He was no encourager of Orangeism. If the hon. and learned Member could point out a single occasion where the Lord Lieutenant had encouraged Orange principles, he would admit he was liable to the imputation of acting partially and improperly. But he denied it utterly. Why had he been attacked, and what was the improper conduct which had been imputed to him? it amounted to this—that he had never read of the dinner given by the Lord Mayor of Dublin, or the verses that had been recited there, which took place before he was in office, and about forty days before the Lord Lieutenant had dined with the Lord Mayor? If he had read them he saw no reason why he should not do honour to the Lord Mayor, and treat with respect the first Magistrate of the city of Dublin. On no occasion could it be alleged that he had encouraged Orange principles, and he trusted that the noble Lord would give him credit for acting in his situation with impartiality.

Lord *John Russell,* in explanation, said he was accused of a coalition with the hon. and learned Member for Dublin; he had never asked that hon. and learned Gentleman (Mr. O'Connell) to join him. That hon. and learned Gentleman had voted with him (Lord John Russell) on the question of the Reform Bill, and he was again voting on the same side as himself, in the advocacy of Reform principles.

Mr. *Maurice O'Connell:* the right hon. Baronet had declared that he could not amidst his many important avocations, find time to read the newspapers. There was such a thing as a convenient memory; for, when there was anything to suit his purpose, he was found the next minute quoting passages from newspapers, which he stated were of an inflammatory description. The hon. and learned Member for Dublin (Mr. O'Connell) had been acquitted of any intention to threaten, as originally charged against him; but it was said, that the same effect had been produced as if the threat had really been made. The Lord-lieutenant of Kerry had volunteered a pledge to act in a particular way with reference to the elections—that he would not exert the influence of his station over the elections. He further declared, that he was indifferent to both the candidates, and that if any influence were exerted, it would rather be in favour of that Ministry which had given him the appointment. But the noble Lord had found a pretext for getting out of his pledge by the speech about the "raw head and bloody bones." He could appeal to Members opposite, who were acquainted with the contest in the county of Kerry, whether it was not carried on with peace, order, and sobriety. There was, indeed, one instance of persecution during the election, but it was on the part of the supporters of the Government. A person desired to vote in spite of his landlord; he went at his own expense and voted as he desired—the next half hour his cows were impounded as a punishment for his independence. He was not disposed to say one word in derogation of the character of the Knight of Kerry, who was a gentleman of the kindest manners in private life; but it was different with him as a politician, and he was only estimated by his constituents in Kerry as he preserved his consistency or abandoned it;—he had not preserved it, and therefore had been rejected.

Mr. *Mullins* could not permit the assertions made by the right hon. Baronet (the Secretary for Ireland) to pass uncontradicted. He could bear full testimony to the statement made by his hon. Friend the Member for Tralee, with reference to the election for Kerry. His friends had left their tenants to vote as they wished. He had canvassed the whole of the county before the hon. and learned Member for Dublin had made the declaration so much referred to, when almost every tenant on the property of Lord Kenmare had promised their votes for him. He would ask, was the Knight of Kerry first rejected in 1835?—was he not rejected in 1831 and 1833? It was because an independent and enlightened constituency had seen that he who had formerly advocated their interests, did so no longer, but had joined their bitterest enemies. He did not disapprove of the private character of the Knight of Kerry as a gentleman and a Magistrate, apart from his politics. But his principles in 1831 differed from his former principles, and they were called up in judgment against him. When the Knight of Kerry advocated principles different from those of his constituents, they had a right to change their opinions.

The Motion, withdrawing the part objected to, was agreed to.

HOUSE OF LORDS,

Monday, March 9, 1835.

MINUTES.] Petitions presented. By the Marquess of BUTE, from Banbury, for Relief to the Agriculturists.

ESTABLISHED CHURCH—SCOTLAND.] The Marquess of *Bute* presented Petitions from Greenock and a parish in Ayr in support of the Established Church in Scotland. The noble Marquess said, the petitioners expressed their hopes that the spiritual instruction of the lower classes of Scotland might be better provided for. To this subject his Majesty's speech referred, and he believed, that there was a general feeling in Scotland in favour of the proposed grant.

The Earl of *Rosebery* said, the noble Marquess had informed them, that that part of the Speech from the Throne which related to the granting additional accommodation for those who attended the service of the Church of Scotland had been received with a great deal of satisfaction by the people of that country. This observation, however, he had reason to believe, was not well-founded. No person knew better than he did, that there was a considerable deficiency of accommodation in churches for the inhabitants of that country who were members of the Church of Scotland. He was so well aware of the fact, that in the last Session of Parliament he introduced a bill for encouraging the extension of accommodation in Churches in Scotland by voluntary contribution. But when the noble Marquess stated, that the paragraph in his Majesty's Speech recommending a voluntary grant for that purpose had been received with great satisfaction by the people, he for one, as belonging to that country, must take the liberty of dissenting from that statement. There was, on the contrary, a very strong opinion in that country on the subject—an opinion, certainly, in which he did not agree, and which amounted to a feeling of hostility against any plan of this description. The people of Scotland were not adverse to providing church accommodation by voluntary contribution, or by the application of any surplus fund granted for Ecclesiastical purposes; but he was very much deceived if a feeling quite as general, if not more so, did not exist against any grant of public money for such an object.

The Marquess of *Bute* was perfectly aware, that there were in Scotland many persons who advocated the "voluntary principle," but all he had intended to say was, that generally speaking, such as were attached to the Established Church highly approved of the proposed grant. With regard to the grounds of the objection referred to by the noble Earl, he thought no person had a right to quarrel with the nature of the grant before it was known out of what funds, or in what particular manner it would be made. He agreed, that there were too many who had shown themselves unfriendly to the Established Church, but he could not, and he did not, believe that the greater proportion of the members of that Church were unfavourable to the proposed grant.

Petition laid on the Table.

HOUSE OF COMMONS,

Monday, March 9, 1835.

MINUTES.] Bills. Read a first time:—Court of Session (Scotland) Expenses Reduction; Abolition of Imprisonment for Debt (Scotland).

Petitions presented. By Mr. TOOKE, from the Reverend J. P. Guerney, praying that a Provision might be made for aged Curates out of the Funds of the Deans and Chapters.—By Mr. ORMSBY GORE, from the Agricultural Association of Oswestry, for the Repeal of the Malt Tax.

GREENWICH PENSIONERS.] Colonel *Evans* presented a petition from a Greenwich pensioner, who complained that Government having induced him to accept of a commutation of his pension, under the promise of giving him a free passage to Canada and some land there, had subsequently refused to fulfil the agreement. His pension was 4*l.* a-year, and he had taken 8*l.* as commutation for it; but on applying to the Colonial Office, he had been told that Government had changed their intention of giving any such advantages to Greenwich pensioners as he had bargained for. The petitioner had been for several years making application to the Admiralty, the Colonial Office, and the Greenwich Hospital, but without effect; and, from all the circumstances, he thought the poor man had been hardly treated. The first answer he received from the Admiralty was, that his pension had been commuted, absolutely and unconditionally; but he (Colonel Evans) would ask, whether any man at the age of thirty-five would accept of two years' pension as its whole value? The idea was absurd. The second answer he received was, that the case did not concern that department; and a third answer was, that he might apply to the Greenwich Pension Office. He did apply there; and the answer was, that his letter had been referred to the Admiralty, thus showing that the poor man had been right in his first application. He thought the answers which had been given were inconsistent, and that his Majesty's Government should give directions to the persons in these departments, not to issue such vague and uncivil answers to the poor persons who were obliged to apply to them for advice or assistance.

Lord *Ashley* said, the facts of the case were, that the petitioner received his pension in the year 1813. In 1818, at his own request, and on his own application, the pension of 4*l.* a-year was commuted for 8*l.*, and he from all the documents was convinced that the commutation was unconditional. He understood that the case was quite against all rule; it was only allowed in the case of foreigners who wished to return to their own country, and there had only been six such commutations since the war. After a considerable interval, the petitioner applied to the Admiralty, saying, that he had been made the promises now stated. The Board answered that they knew nothing of the matter—they had made the commutation unconditionally. He had not been able to discover any trace of a promise of either passage or land. As to what had fallen from the gallant Gentleman relative to the vagueness of the letters from the Board, he could only say if they were to write long letters to every application, they would require five times the number of clerks that they now had. However, every case met with the utmost consideration before it was replied to.

Petition to lie on the Table.

CANADA.] Mr. *Roebuck:* I am charged, Sir, with a petition from certain Members of the Legislative Council, and House of Assembly of Lower Canada, complaining of the grievances under which they labour; and I would most earnestly entreat the House to bestow upon it a calm, serious, and anxious consideration. A more important document has not been laid before it, since the disastrous period of 1774. Then, in a humble but firm manner, our North American colonies laid before this House a statement of the grievances under which they laboured. The prayers of the colonists were, unhappily for this kingdom, treated with contempt and scorn. Instead of redress, coercion was attempted; and the result was, that the magnificent territories, now forming the United States of America, were for ever severed from the dominion of Great Britain. More than half a century has passed since the conclusion of that disastrous attempt; and the inhabitants of the territories, which yet remain to us on the continent of North America, are almost precisely in the condition of the colonists in the year 1774. They complain of the same grievances; they appeal to the same authority; and, in case their appeal be disregarded, they are prepared (and I say this in the spirit of melancholy warning to the Gentlemen opposite)to have recourse to the same violent remedy. As a Member of the British Parliament, as one anxious to maintain the integrity of our empire, I deem it my duty to use a language that cannot be misunderstood. I have been selected by the people of Lower Canada to appeal, in their name, to the justice of the Imperial Parliament. I have now, then, a double duty to perform—to state, as distinctly as I am able, the petitions of the colonists; to lay before you a description of their frame of mind, which, from my peculiar position, I believe myself better able to do than any other Member of this House. Having done this, I must remember my duty to the people of England, and consult with you, without favour or affection, as to the best mode of extricating ourselves from the difficulty under which we labour. The second part of my duty I shall, on another opportunity, attempt to fulfil; at present I shall confine myself to the task of explaining the actual condition of the colony—the circumstances which have given rise to this petition, and the several demands which it contains. On the 2nd of the coming month, I shall propose a remedy for the evils, which I shall this night describe, and Parliament must, in its wisdom, determine, whether the course which I shall point out, is that which is best suited to calm the fears and allay the discontents which so long have vexed the inhabitants of the Canadas. The petition which I now present, Sir, is the petition of four Members only of the Legislative Council of Lower Canada, and of sixty-one Members of the House of Assembly. As the winter had only commenced when this document was prepared, it was found impracticable to reach the whole of the various Members. Had that been possible, however, not more than about seven legislative councillors could have signed it, while the whole number of signatures, by Members of the Assembly, would have amounted to about seventy-eight out of eighty-eight. I am not aware of the exact number of the Legislative Council, though I believe it to be about thirty-four. So much, Sir, as regards the persons signing. I now come to the petition itself, and the grievances of which it complains. These grievances, and the complaints to which they have given rise, are of long standing. I must travel back a few years, in order to make the House understand them. England, in 1791, bestowed upon the two Canadas a new Constitution; that constitution in each province consisted of—1. the House of Assembly; 2. the Legislative Council; and 3. the Governor. The Governor represents the King, the House of Assembly represents the people; and the Legislative Council represents nothing. The Legislative Council is supposed, by the letter of the Act of Parliament, to be composed of persons selected by the Crown, and for life; in truth they have been since the first set were selected (and how they were selected I will immediately show) the creatures of their own election. When the first American war ended, there were certain persons who had espoused the English side, who fancied their interests would be better provided for, if they left their homes and went to Canada. This gentry called themselves sometimes United English (and now go by the name of United English), sometimes Loyalists. Out of this band many of the first Legislative Council were selected; from that time they have elected themselves. The Governor takes persons at their recommendation; they recommend persons of their own party and families, and thus the Legislative Council has become a sort of refuge for the destitute. They have made a party which they have artfully, but not falsely, called the English party, and pursue their own private interests with the most barefaced profligacy and assurance. No sooner was the Constitution granted, than differences began to arise. For some time, the people, stunned by the conquest, and unused to the exercise of freedom, did not understand the force of the instrument granted to them. By degrees, however, they came to have a very

English conception of the use of a House of Commons. They began to investigate the expenditure of the Government. This raised the ire of the Legislative and Executive Councils, and the Governors. Various arbitrary acts followed; all sanctioned by the Legislative Council, all opposed by the House of Assembly. As we approach our own times, do these arbitrary acts become less atrocious? Sir James Craig dared to imprison the Members of the House; Lord Dalhousie spent the people's money without the consent of the House; Lord Aylmer insults the people and their representatives, and pays somebody's money—whose I know not—without the sanction of the Parliament. The great object of the House of Assembly, from the moment of their first establishment to the present instant, has been to obtain over their internal concerns a complete and efficient control. In this attempt they have been perpetually thwarted. Tired of continued contests, the House of Assembly, and the people, at length, in the year 1828, petitioned this House respecting their grievances; a select Committee sat, and investigated them, and made several important admissions, and several important recommendations. The people's hopes were raised by this proceeding on the part of the Imperial Parliament; and had these recommendations been candidly and honestly acted upon, I feel convinced that the colony would now have been peaceful and contented. In the mean time Ministerial changes took place, and Lord Ripon, and the noble Lord, the Member for Lancashire, successively held the Seals of the Colonial Department. It is the fashion on both sides of this House to lavish laudation on the noble Lord, the Member for Lancashire. His position in this House and out of it, together with the exaggerated opinion entertained of his abilities in debate, explain, very satisfactorily, the cause of all this amazing panegyric. I, Sir, am not about to follow in the train of those who have indulged in this pleasant business of laudation. On the contrary, I feel it my duty not merely to dissent in silence from all this violent praise, but also most unequivocally to declare, that, whatever people may fancy respecting his great Parliamentary talents, in the far higher and necessary qualities of a statesman, he has shown himself lamentably deficient. To me, Sir, the power of captiously sharing in a debate—the power of making oneself disagreeable—is but a vulgar capability. Vehement and petulant, doubtless every one will confess the noble Lord to be; but at the same time, I will prove him devoid of that calm temper, that wise forethought and sagacity, that enlarged and unprejudiced spirit, and that generous sympathy, which are requisite for a great statesman. In none of his proceedings has any great and liberal principle been seen to be the guide of his conduct; but, in place of a liberal and exalted policy, we have always perceived dominant in the mind of that noble Lord, narrow and virulent prejudice. We have beheld violent energy exhibited to attain petty ends; and rancorous gall thrown upon those who stood in the way of aims, hastily resolved on, and doggedly pursued. I shall not go to Ireland for proof of my assertions. The noble Lord having exercised his hand on that unfortunate country, and having, by his conduct, brought the Irish to something very like open rebellion, next proceeded to make experiments on the other side of the Atlantic. It is from this country—from Canada, whose bitter complaints I am now uttering—that I shall seek my evidence of the noble Lord's incompetence. It should be borne in mind, however, that the conduct of the noble Lord was much more dangerous in the case of Canada, than in that of Ireland. Ireland is surrounded by the sea—has England for her close neighbour—but Canada is separated only by an imaginary line from the United States, in which States she will find a powerful and sagacious people, intimately sympathising in her feelings, and ready to succour her distress. It may be asked of me, in what way did the noble Lord, while ruling the Canadian people, evince this narrow-mindedness, this violent temper, and this virulent prejudice? With the permission of the House, I will explain how and when.

I may lay it down as a rule, from which no one will dissent, that laws must, in all cases, be framed with a reference to the peculiar opinions of the people who are to obey them. Any one, for example, who should attempt to legislate for the people of Hindostan, would, if pretending to the name of a prudent and sagacious lawgiver, bear constantly in mind the peculiar religious feelings of that curious people. In looking to America, what, I ask, are those peculiar feelings, which it behoves a lawgiver carefully to regard? Any one who knows that country must be aware that the predominant influence is that of the United States of America. This influence is predominant (that is, the feelings of the people of the United States materially influence the feelings of every inhabitant of that continent) from the city of Mexico to the city of Quebec. The ruling feeling respecting government is the desire entertained by all classes for popular government. I do not mean thereby republican government; for, to a people as sagacious as the Americans, the difference between a well-regulated constitutional monarchy and a representative republic, is too minute to be a matter of concern. What they desire—what they deem absolutely essential to their happiness—is the possession of self-government. This feeling is as acute in Canada as in the United States;—it enters into all their speculations concerning their government; and nothing will ever appear to them a good government, which does not efficiently provide for the people, the uncontrolled power over their own concerns. Now, had the noble Lord but condescended to deem this feeling of democracy a mere vulgar and inexplicable prejudice, like the religious prejudice of the Hindoo, and legislated and acted with reference to it, he would never have committed the egregious follies that marked his administration. Instead of doing this, however, he haughtily and contemptuously turned from every proposal on the part of the Canadian people, speaking through their representatives, to render their government more in accordance with the feelings and habits predominant in America. He always fancied that he was legislating for England: he considered that he had the English aristocratic feeling always in his favour; and could not root out of his mind the prejudice of this position, or look with a liberal spirit upon a state of things differing from that in which he lived. What was the result? The petitioners, in whose behalf I am speaking, shall answer for me:

"Resolved,—That, in the midst of these disorders and sufferings, this House, and the people whom it represents, had always expressed the hope and cherished the faith, that his Majesty's Government in England would not knowingly and wilfully participate in the political immorality of its colonial agents and officers; and that it is with astonishment and grief that they have seen in the extract from the despatches of the Colonial Secretary, communicated to this House by the Governor-in-Chief, during the present Session, that one, at least, of the Members of his Majesty's Government entertains towards them feelings of prejudice and animosity; and inclines to favour plans of oppression and revenge ill adapted to change a system of abuses, the continuance of which would altogether discourage the people, extinguish in them the legitimate hope of happiness which, as British subjects, they entertained, and would leave them only the hard alternative of submitting to an ignominious bondage, or of seeing those ties endangered, which unite them to the mother-country.

"Resolved,—That this House, and the people whom it represents, do not wish or intend to convey any threat; but that, relying, as they do, upon the principles of law and justice, they are and ought to be politically strong enough not to be exposed to receive insult from any man whomsoever, or bound to suffer it in silence; that the style of the said extracts from the despatches of the Colonial Secretary, as communicated to this House, is insulting and inconsiderate to such a degree, that no legally-constituted body, although its functions were infinitely subordinate to those of legislation, could or ought to tolerate them; that no similar example can be found, even in the despatches of those of his predecessors in office, least favourable to the rights of the colonies; that the tenor of the said despatches is incompatible with the rights and privileges of this House, which ought not to be called in question, or defined, by the Colonial Secretary, but which, as occasion may require, will be successively promulgated and enforced by this House."

The House of Assembly so deeply resented the insulting language of the noble Lord, that they expunged his despatch from their journals, and thus conveyed a reproof that no Minister of the Crown had ever before received. It matters not whether it be true that the noble Lord does feel the animosity supposed,—it is enough that he has so acted as to make the people believe that he does. It is quite sufficient evidence against a ruler, that the whole people, over whom he rules, conceive him to be their enemy. In the present instance, such is the fact; the public of Canada distrust and hate him; and, when I say the people, let me be understood. Poll the inhabitants, and above four-fifths of them will express their opinions, as I have here described them. I would here, with the permission of the House, read a passage in a speech of Mr. Burke, on a subject precisely similar. There are many persons fond of the authority of that celebrated Statesman, and, perhaps, the noble Lord will condescend to take a warning from him, even though my voice should utter it. Mine, indeed, is the voice, but the words are those of Burke:—

"These were the considerations, Gentlemen, which led me early to think, that in the comprehensive dominion which the Divine Providence had put into our hands, instead of troubling our understandings with speculations concerning the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our Government to the character and circumstances of the several people who composed this mighty and strangely-diversified mass. I never was wild enough to conceive that one method would serve for the whole; that the natives of Hindostan and those of Virginia could be ordered in the same manner; or that the Cutchery Court and the Grand Jury of Salem could be regulated on a similar plan. I was persuaded that Government was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians. Our business was to rule, not to wrangle; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire. If there be one fact in the world perfectly clear, it is this,—'That the disposition of the people of America is wholly averse to any other than a free Government;' and this is indication enough to any honest Statesman how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free Government is, I answer that, for any practical purpose, it is what the people think so; and that they, and not I, are the natural, lawful, and competent judges in this matter."

It may, however, be said, Sir, that Canada being inhabited by persons of French and English origin, there is a marked division of parties according to the nation or race from which they have sprung—that while the French party thus view the noble Lord with feelings of disapprobation, the English party trust and esteem him. This assertion, which I know will be made, I will now answer—and answer in a way to preclude the repetition of the statement by any man of fairness and candour. Lower Canada is divided into seigneuries and townships: the seigneuries, for the most part, are inhabited by French Canadians—the townships entirely by persons of British, Irish, and American descent,—they are English; that is, they speak the English language. Now, if there were an English and a French party, always divided, and governed only by the feelings of race and origin, the townships would side entirely with the English party, as it is called. But what is the fact? During the discussion of last year, I stated that it would be found that the townships would side with the remainder of the people, because their interests were identical; and I find that the townships of Drummond, l'Acadié, and Stanstead (the latter the largest of the townships) have returned Members favourable to the popular cause. Again, Sir, the city of Quebec hitherto has elected persons of English origin; and yet, during the last election, it has sent persons to Parliament favourable to the popular cause. But I have a still more striking fact. Out of eighty-eight Members, there are twenty-one members of English origin. If we recollect that only one-fifth of the inhabitants are English, this surely is a large proportion of Representatives. Of these twenty-one Members, ten have signed the petition which I now present. If the statement were true respecting the English and French party, this could not be the case. It is requisite that I should now explain the meaning of this false assertion respecting an English and French party. The official party in Canada have chosen to take a title which they know, on this side of the water, will be an attractive one;—they call themselves, *par excellence*, English. They pretend to be the English interest—to care about England—to be loyal and obedient. The truth, in fact, is, that they are a peculiarly selfish party. They care nothing for England and her interests, excepting in so far as England supports their abominable dominion; and the moment any English Minister shews an intention to listen fairly to all parties, and do justice to all, they begin furiously to abuse that Minister, and that England which supports him. They are loyal and English only, when to be so is favourable to their little, despicable, and mischievous oligarchy. Before I have done, I shall exhibit some remarkable instances of this conduct on their part. The consequence of the proceedings of the noble Lord was easy to be foreseen. The House of Assembly so strongly felt the injustice and insult of which he had been guilty, that they determined to petition this House; and that petition I last year presented, and it was referred to a Committee that sate upon the affairs of Canada. The history of that Committee I must now detail to the House. It was appointed and selected by the noble Lord. It should be borne in mind that most of the insides of the "Derby dilly" sat on that Committee; and, as was to be expected, it justified the noble Lord in all its proceedings. Perhaps, the noble Lord will ask if I consider that such a justification clears him in my opinion? I frankly answer, not at all. Few persons would be condemned, if they had to choose their judges: still fewer, I suspect, if they sat in authority on the bench, and controlled the whole proceeding. To call such a farce a trial of the Government is an abuse of terms. When I went into that Committee I was certain that such would be the result; and the only benefit that I expected to derive from it was, that I might be able vividly to depict to them the discontents of the people, and the danger of continuing such a course of Government as that adopted by the noble Lord: what I did not hope from their justice, I did hope to obtain from their fears. It may be said, and said in this House with much effect, that it is strange that I should put no more faith in the honour and justice of a set of English Gentlemen. I feel, assured, Sir, that I shall be driven to answer this objection: I therefore anticipate it. In the first place, I knew that all the sympathies of the Members composing that Committee, naturally went with the noble Lord. They were in habits of daily intercourse with him—they were his friends, his associates, and some of them his colleagues; they, therefore, I foresaw, would look with jealousy upon anything inculpating him; and would receive, with implicit confidence, anything in his favour. Moreover, the petitioners were 3000 miles off: their opinions had no influence upon that Committee. It was careless of their good as well as ill opinion. There was also another and very important circumstance connected with this inquiry. All the complaints, with one exception, were respecting small sums of money, persons having small salaries—petty officers, frequently with petty incomes, in the eyes of Englishmen,—accustomed, many of them, to deal with thousands of their own, and to dispose of millions belonging to the people. To make them feel the injustice in matters of a few pounds, or to understand the importance attached to it by the petitioners, was impossible. But my main fear arose from the general frame and tenour of mind of the Members of the Committee. Every man, of any station in England, has strong aristocratic leanings, and he dreads, as well as dislikes, the democratic spirit. My whole case rested upon democracy: the people whom I was representing are democrats—they seek for democratic institutions—they are surrounded by democratic neighbours. The Committee, I knew, would go with the noble Lord in his opposition to that spirit; and would be, like him, blind, from prejudice, as to the dreadful evils likely to result from such a conduct. I was, therefore, in prudence justified in expecting a full exculpation of the noble Lord; but I hoped for some practical suggestions which might serve to alleviate the evils of the petitioners. In the midst of our deliberations the noble Lord retired from office, and was succeeded by the right hon. Gentleman, the Member for the town of Cambridge. I beg that it may be understood that I have not the slightest intention of setting the two ex-Secretaries together by the ears; but I am bound to say, that I did hear with great joy of the retirement of the noble Lord, and the accession of his successor; because I knew the noble Lord to be headlong, prejudiced, and self-confident; and I hoped to find the right hon. Gentleman amenable to reason, and willing to do justice. The right hon. Gentleman, told me, and with much truth that he was entirely ignorant of the whole matter under dispute, that he sincerely desired to do justice to all parties; and that if the Canadians would only grant him time, he would, to the utmost of his power, forward what he conceived to be the true interests of the country. He said that he could not, in his present state, be expected to form an opinion. On one thing, however, he had determined, and that was, not to press the Acts introduced by the noble Lord, the object of which was to take away from the Colonists certain revenues, and thereby to free the Colonial Government from their control. This he promised not to do; only asking that the Colonists would, in the next Session, pass a Bill, the same with that they had passed under Sir James Kempt, providing for the civil Government, under a protest and understanding, that thereby they created no precedent in prejudice to their cause. This they, on my request, promised; I then agreed to close the Committee, and to leave the reformation of the existence of abuses, in the hands of the right hon. Gentleman. The House must, however, at once understand that this was not all the assurance I received. Certain things were very pointedly stated by me, and acquiesced in by the right hon. Gentleman, and another Member of the Government, peculiarly connected with Canada. They spoke my language respecting the then state of the country; and I was certainly led to believe, that very marked changes would have rapidly followed the accession of the Member for Cambridge. I am sorry to say, that I fell greatly into error — nothing has been done—all the evils complained of still exist, — more mischief has been added, — and the state of the colony is now such, that unless some immediate steps be taken to redress what the Colonists deem their grievances, I am convinced that an immediate outbreak will happen among the people :— that unless their demands be granted, they will rebel—and if the mischievous system which has hitherto prevailed, is to continue; if the same heart-burnings are to be allowed to be created for the gratification of a small and mischievous oligarchy, who spread a moral pestilence over the land; if these are to be the fruits of our dominion —however, for the sake of England, I may deplore such a result, for the sake of the human race, to me it appears that the sooner they rebel the better. If our dominion is to be a curse, wisdom and humanity alike require that it should immediately cease.

Such is the general outline of the circumstances which resulted from the petitions of the Canadians respecting their grievances. In order that the House may better understand the nature of the grievances themselves, I will, with its permission, explain the matters complained of. So soon as the constitution existing was conferred on the Canadas, disputes arose, as I have already said, between two parties in the colony. Those disputes arose, because the people, speaking through their representatives, demanded to have the government of their own concerns; and the Legislative Council party wanted to keep dominion in their own hands. In order to attain their end, the Legislative Council had two schemes, intimately connected one with the other :—the one was to make the servants of the public independent of the House of Assembly, by obtaining a permanent civil list; and the other, was to leave, at the control of the Assembly, certain portions of the revenue. In furtherance of the first part of their plan, it was proposed to the House of Assembly, by various Governors, that they should vote one large sum of money, as it was then called, *en bloc*—and that, too, for the life of the King. *En bloc* meant, that no separate items should be discussed, but that the whole should be voted at once, and that the Governor and those around him, who really governed, should apportion it out amongst themselves. This the House strenuously resisted: they refused such a supply; and, in return, Lord Dalhousie illegally took the money out of the public chest. At length the *en bloc* demand was given up; still they insisted on a permanent civil list. By degrees, this civil list was confined to the judges, the governor, his secretary, and the attorney-general and solicitor-general. The House was inclined to grant so much of this last demand as related to the administration of justice, on certain conditions. They passed a bill for the appropriation of a permanent salary to the judges, directing that these salaries should be paid out of the casual and territorial revenues. The meaning of this cannot be understood without an explanation of the second part of the plan above alluded to. The House of Assembly have uniformly insisted on their right to control the whole of the revenue. On the 6th of December, 1828 the House resolved,—

"That, under no circumstances, and upon no considerations whatever, ought this House to abandon, or in any way compromise its inherent and constitutional right, as a branch of the provincial Parliament representing his Majesty's subjects in this Colony, to superintend and control the receipt and expenditure of the whole public revenue arising within this province."

This resolution was passed because the official party had classified the revenue, and chose to consider, that certain of the classes were legally and rightfully beyond the control of the Assembly. This reserved revenue consisted—1. Of the proceeds of certain English and provincial Acts of Parliament; 2. Of the Jesuits' estates: 3. Of the land and timber fund; 4. Of certain rents and fines arising from lands held under the Crown. In time, the Government saw the justice of giving up the first class, which was at that period the most productive; but they still reserved the remainder. Respecting the Jesuits' estates, the Canadians bitterly complained that they had, while in the possession of the Jesuits, contributed to the education of the Canadian Catholic youth, and that now they were appropriated in a manner wholly opposed to this. They complained, and with justice, that the Jesuits' College in Quebec, one of the largest buildings in Canada, was made a soldiers' barracks. They complained that the proceeds of these reserved funds were appropriated to the maintenance of an exclusive Church Establishment; and surely these were legitimate subjects for complaint. The truth is, the spirit that in England makes us maintain the Church in spite of the whole dissenting body—which in Ireland continues it though bloodshed and riot are the consequences,—makes us cross the water, and breed confusion and doubt, distrusts and heart-burnings, among the principal inhabitants of Canada. This Church Establishment has been the evil genius of England, and has in too many instances been the curse of her dominions. In consequence of the reiterated complaints of the Canadians, at length the Home Government consented to give up the Jesuits' estates. Those in the Island of Montreal were given up; those of Quebec, however, were, and are still retained; the College still continues a barrack, and all accounts respecting the Jesuits' revenues, were peremptorily refused to the House of Assembly. What faith can the House have in statements respecting these estates, if the official and authentic documents are all carefully withheld from them? This matter of the Jesuits' estates, however, is but a small part of the grievance. The remaining portion of the casual and territorial revenues, is equally pregnant with mischief and discontent. It should be remarked, that all the complaints of the Canadians respecting the two first classes of the reserved revenues, were, after long discussion, and vehement reviling of the Representatives, declared by the Home Government to be just and well founded. There was, however, no language too bitter for the official party to use, while discoursing on the unheard-of audacity of the House of Assembly, in demanding to know what was done with the people's money. They were called republicans, disloyal, anti-English levelers, democrats, incendiaries, rebels, traitors, enemies of their country, and contemners of all that was just and holy. All this storm was raised by the constitutional demand on the part of the people's Representatives to know how the proceeds of the people's industry was disposed of by the servants of the public. The storm on these two separate claims at length ceased, but only to rage with greater fury respecting the claims of the people to the remaining portion of the reserved revenue. Now, let us inquire respecting the remaining portion—namely, the land and timber fund. I know that the waste lands of Canada are called Crown lands. This is a mere technical expression; the waste lands do not belong to the King of England, but to the people of Canada. It is idle for us to let mere law jargon impose upon our sober senses. Upon all principles of policy, on the score simply of common sense, I claim as the undoubted right of the people of Canada, the lands of that province. The grounds of this demand cannot be invaded. The inhabitants of Canada are protected by the government of Canada—they are subject to the laws of Canada. Upon the government of Canada devolves the duty of securing the lives, the property, and the reputation of the inhabitants. For the fulfilment of this obligation, it is endowed with certain powers, and is bound to take advantage of all the facilities which its situation affords. When a new settlement is formed, new duties arise for the Government. Waste lands afford a means of revenue to fulfil those duties; they, that is the lands, are not then to be diverted from this purpose, to gratify private cupidity, or to make a revenue for England. The administration of these lands forms a very important portion of the internal affairs of the Colony; and we have, as well by Act of Parliament, as by a long course of policy, given to this Colony the right of managing its own internal affairs. Therefore I claim, for the Canadian people, the administration of the waste lands, and the right to the monies that may be derived from them, as well as the power of appropriating them. It happens that this fund is a growing fund. The United States derive a large revenue from this source; and the people of Canada are justified in expecting that they, living in the same climate, possessed of the same facilities, should derive the same benefits. The official party, however, desirous of having a disposable fund, hating the control of the people's representatives, wish to have this territorial and casual revenue, free from the power of the Assembly. The Assembly, on the other hand, are determined to prevent such reservation. In the midst of the disputes on this matter, arose the question of freeing the administration of justice from any domination on the part of the Assembly. This was a popular topic, and the Representatives of the people determined to grant this demand. They said "yes, we will make the Judges independent, as well of ourselves as of the Crown; they shall hold their offices during good behaviour, and not the pleasure of the Crown; and they shall have permanent salaries, instead of salaries annually voted; they shall have salaries of the same amount as heretofore, and they shall be paid out of the monies accruing from the casual and territorial revenue." And what was the consequence? Why, the British Government that had made such wonderful professions of a desire to have an independent judicature, refused the assent of the Crown to this Bill, though passed by the House of Assembly, and, unanimously, by the Legislative Council. In this state of the case, the House of Assembly are accused of breach of faith; they have resolved—"That on the permanent settlement before-mentioned (of the financial question) being effected with the consent of this House, it will be expedient to render the Governor, Lieutenant-Governor, or person administering the government of the Province for the time being, the Judges, and Executive Councillors, independent of the annual vote of this House, to the extent of their present salaries." And it is asserted, that they have not acted up to this resolution. Now, I ask, after what I have stated respecting the reservations made, whether the financial question can be said to have been permanently settled? Until the whole revenue be given up to the people without reserve or evasion, this question will not, cannot be settled; and no breach of faith can be imputed to the House of Assembly, while the whole affair remains in its present unsatisfactory condition. That House has made many advances towards conciliation; they passed the Bill above alluded to, respecting the Judges, which Bill was opposed by the Crown, even when the people did no longer insist upon their demands. The people yielded, but the Government would not. It will be found no easy matter to bring the Representatives back to that state; their demands are now greater, and must be satisfied. I have not yet exhausted the grievances of the Canadian people respecting English interference with the appropriation of their lands. Last year a Bill, as a private Bill, passed this House, establishing a land company with certain powers, in opposition to the wishes and the laws of the Canadians. What would be the feelings of the landed gentry of this House, if the Canadian people should constitute a Company to buy lands in England by bargain with the Government, which lands belonged to the people of England? And what would be the feelings of the lawyers on the Treasury Bench, if, not contented with this invasion of English rights, the Canadians should also make new laws of conveyance, in contradiction of the existing law of England? I will tell the House what the Canadians have determined to do; and I am anxious that the people of this country should be made acquainted with the fact. They have determined never to allow a title to any lands which this Company may purchase or sell. On the next meeting of the provincial Parliament, the House of Assembly will pass a resolution to this effect; and I desire to direct the attention of the hon. Member for Worcester to this circumstance. He is, I know, a very important fraction of this said land Company, and will be responsible to every one who shall be deceived by representations on the part of that Company which cannot be realized. The people of England, the poor emigrants, should know—and I hope he will be careful to disseminate this information—that if any one go out to Canada in the expectation of finding lands of the Company to which they can give a sure and peaceable title, he will be egregiously mistaken; for the Canadian Legislature are determined to overturn this Company, which they deem illegal, and a gross violation of their liberties. They are determined—no matter how long may be the possession of the settler—no matter what the sum that may have been paid by him—to take all these lands back into their own hands. If any persons suffer, after this very distinct announcement made by me, in the name, and on the behalf of the Canadian Legislature, they have themselves to blame. If they put faith in the deceptive promises of the Company after this warning, they must pay the penalty of their folly. It remains with the Company to determine, whether they can honestly continue to hold out prospects which they must know to be false, and to entice people to emigrate to lands on which they must be certain they will meet only with difficulty and distress. This Land Company is connected with the Financial Question, because they serve, by their payments, to swell the amount of that fund, which is reserved from the control of the Legislature. It is on this ground that I now include it in my list of grievances. I have not yet even exhausted the long list of evils connected with the lands of this country. I shall here, however, merely allude to that mischievous piece of legislation, the Canadian Tenures Act. Upon another occasion, I will shew how necessary will be the repeal of that ill-advised and ill-digested measure. These various grievances were all of them, excepting that of the land Company, necessarily brought under the consideration of Lord Goderich; and, although he was unable to settle all the differences arising from them, he shewed a great desire to conciliate, and was especially anxious to create no unnecessary discontent. Fatally for the peace of Canada, he was led to believe it necessary to insist upon the reservation of this casual and territorial revenue. This rendered it impossible for him to answer the question; but still he continued to maintain a good correspondence with the House of Assembly, and was always treated by them with great respect and courtesy, because he himself set the example by his manner towards the House. It was reserved for the noble Lord who succeeded him to insult the Assembly, and thus to break off all connexion with the House. The House of Assembly found, after many years of patient trial, that no hope of accommodation remained while the Legislative Council was constituted as it then was, and is; but they, deeming that the direct recommendation of any great constitutional change in the Council was beyond their mission, stated to the governor that they desired that the people themselves should decide upon the matter. It is the custom in America to do this. A convention is called to determine on organic changes. The representatives are chosen for that one purpose, and are solemnly endowed with power to alter the Constitution. The Canadian Assembly wished that a convention of the same description should be called in Canada; and signified their desire to the Home Government through the Governor. The noble Lord, without the slightest regard to the peculiar condition of the people—of the state of feelings and opinions, at once insults the Assembly for proposing such a plan—calls their proposed convention a national convention, and would lead us to believe that we ought to expect the doings of Robespierre and Danton at the hands of the Canadian leaders. The noble Lord, I see, expresses his dissent. If he did not mean this, why call it a national convention? He well knew the feelings of Englishmen on that subject, and why insinuate what he did not openly wish to avow? If the epithet meant anything — and I cannot suppose the noble Lord used it for no purpose—it meant the unfair inference to which I have just alluded. He sent the despatch of which I have above spoken, and from that moment to the present, it has been found impossible to bring the House of Assembly to any terms, but those which they originally proposed. They are determined to have a complete control over their own concerns, and they are determined to work out all changes necessary to that end. I have now to speak of the conduct of the right hon. Gentleman, the Member for Cambridge, and the first matter on which I have to remark is, that he has allowed Lord Aylmer to remain Governor of the province. He, Sir, knows as well as I know—that all confidence is destroyed between the House of Assembly and his Lordship—and he must have been aware of the impossibility of accommodating the differences existing, while Lord Aylmer remained. I will give the House a specimen of his Lordship's fitness for governing, in his late proceedings respecting the quarantine. But, before I do this, I must make a grave charge against the noble Lord, the Member for Lancashire, respecting this same matter. He misled the House, last year, by one of the most extraordinary statements that, I think, was ever made by an official person of his station and eminence. Surely this House has a right to expect that the communications made to it by his Majesty's Ministers, be not lightly made. The Ministers are in possession of the best evidence, and when they speak, they speak with authority. Now I charge the noble Lord with having—not, indeed, intentionally asserted what was not the fact, but with having—in culpable haste, and culpable neglect of the evidence before him, made an accusation against the House of Assembly, utterly unfounded. The charge was a grave one; it produced a great effect upon the House of Commons; it ought to have been borne out by evidence, but was utterly unfounded from the beginning to the end. The noble Lord last year, in a speech made in answer to my statement respecting the grievances complained of by the House of Assembly, made the following charge:—"Before I go further, I will give an instance of the spirit in which the Assembly has recently acted. Last year the Assembly broke up at a very early period, having done very little business during the Session, and the financial affairs of the province were left wholly unprovided for. The cholera not having subsided, the quarantine establishment was in the greatest distress; a famine raged through a portion of the country; and under these circumstances the Governor felt himself justified in taking (partly, too, from his own private resources,) about 7,000*l.* for the relief of those persons who were suffering from famine and pestilence. At the commencement of the present Session he applied to the House of Assembly for indemnity and reimbursement, but he was met by a resolution taunting him with a misappropriation of the public money. It was not for the purpose of paying salaries to the Judges, or any other high Officers, that the Governor had made this advance of money; nor for the sake of benefiting himself, but for the sole object of assisting the starving and the sick—the wretched population of the country. With a degree of honesty, candour, and liberality, which does high honour to the individual, the Governor, relying on the good faith of the Legislative Assembly advanced this 7,000*l.* in a manner that I have stated, and I regret to say, that he has been disappointed, and has met with nothing in return for his generous conduct but revilings and taunts of the most bitter description." Now for the answer to this accusation. Captain M'Kinnan, aide-de-camp to Lord Aylmer, was examined by the Committee, and I put the following questions and received the answers I shall now read:—

"1204. What are the circumstances which led the Governor, on his own responsibility, to advance a sum, for which he has since been indemnified, for the use of the quarantine department?—the fear that pervaded the province generally, that the cholera would appear a second time, and the anxiety all the inhabitants felt that there should be a quarantine station. It was merely a renewal of what took place in 1832, when a vote of money was passed by the Legislature, in case the cholera should make its appearance; and Lord Aylmer made the advance on his own responsibility, in consequence of the Quarantine Bill of 1833 having failed in the Legislature.

1205. Do you know of a sum of 7,000*l.* being advanced by Lord Aylmer out of his own private funds?—He advanced a sum of money, but not to that amount.

1206. Was it not 500*l.*?—He made an advance out of his own private funds, on account of the distress that existed in parts of the province from the failure of the harvest; the exact amount I cannot state; it was not large; about 600*l.* or 700*l.*

1207. Did the Assembly refuse to grant that sum?—They indemnified him.

1208. So that the many statements that have been made as to the misapplication of funds, are incorrect?—The best answer I can give to any statement of that kind, as to misapplication of funds, is that Lord Aylmer, was indemnified for all the advances he made without the authority of the Assembly."

A year has been passed since the accusation, and only now am I able to refute this groundless and unjustifiable charge. I leave the matter to the consideration of the House, expressing this hope, that hereafter the noble Lord will take warning, and remember that when he brings a charge, it is his duty to ascertain the facts before he hazards any accusation. From this specimen we shall learn to be cautious how we trust him; and, before we believe, shall ask for his evidence. But as to the matter immediately in hand. Again—did the Quarantine Bill fail in the Legislature, and again did the cholera make its appearance?—The corporation of Montreal, on its appearance, applied to the head of the executive, Lord Aylmer, in order that steps might be taken to avert the dreaded danger. What was the conduct of this sapient and benevolent ruler? The party that had offended him, if he was offended, was the House of Assembly. The inhabitants of Montreal, the corporation of Montreal, were innocent. Yet he, regardless of his duty as a Governor—regardless of humanity and justice—insults the corporation, takes no heed of the pestilence, but coolly allows affairs to go their own way; the consequence was, that the pestilence carried off many hundreds of the inhabitants, who might have been saved had the Governor been endowed with but common humanity. Is it wise, is it decent, is it Christian-like, thus, from personal pique, to visit the poor and unoffending with the dreadful scourge of a pestilential disease? But if the Governor's justice and humanity are small, his prudence is yet more minute. He and the ex-Attorney-General (Mr. Stuart) have, within a few weeks, been exhibiting themselves in the newspapers. They have disgusted all sober and serious people by their sad antics. Mr. Stuart has chosen, in terms hardly allowed by the courtesy of civilized life, to give his Lordship the lie; and the correspondence closes by his threatening to call his Lordship out to mortal duel, when he shall have ceased to be Governor. We may smile, perhaps laugh at these things; but it is a somewhat strange spectacle to be merry about. Here is a man clothed with all the power and dignity of a representative of his Majesty; and he thus chooses to descend from his station to take part in a vulgar and degrading altercation. A pretty situation, truly, for one almost clothed with the imperial purple to figure in! But these two charges are not all that I have to bring against this Governor—I ask the right hon. Gentleman—I ask the Members whom I see here, and who were on the Canada Committee of 1828—what is their opinion of Mr. Gale? Is it not notorious that he is a red hot partisan—that he is one of the most furious of what I may fairly call the Orangemen of Canada? And yet this man has been promoted to the Bench. I do hope, I do believe that the right hon. Gentleman has some answer to this charge. But if he have, what can he think of the discrimination, the judgment, the honesty of that Governor who could recommend this partisan, who had been marked by the Committee of 1828, as one not to be favoured,—who was represented by that Committee to the Colonial Office as a person to be carefully kept out of office—to take a seat on the Bench, and to administer justice to the people? What can the House think of the party which would choose him, of the Governor which could approve of him? I do hope that the right hon. Gentleman did not sanction that approval. But I do confidentially ask him, wherefore, he permitted so imbecile and unfit a Governor to remain in a Colony, the most critically situated of any now under our dominion. Here, Sir, I must close the long list of Canadian grievances; not that I have enumerated the whole painful catalogue, but because I may not further weary the House with the detail. But, before I sit down, let me entreat the right hon. Gentleman opposite to approach this subject in a spirit of wise conciliation. I have spoken faithfully what I believe to be the present condition of the Colony. I have done it boldly,—I believe I have done it correctly. This is no time to tamper with the disease. Coercion will not succeed; and nothing but a full and complete concession will now satisfy the people. They demand the privilege of self-government; and no wise and prudent statesman would at this time, and under the peculiar circumstances which surround this people, refuse or evade so reasonable a demand. The country is one of democratic habits. There is a great equality in the condition of all the inhabitants—no aristocracy exists; neither can the elements of an aristocracy be discovered. Around them the Canadians see democratic neighbours—happy, peaceful, and successful. They demand for themselves a like condition and like privileges. I sincerely hope that these demands may not be refused too often. I beg leave to bring up this petition.

Mr. *Spring Rice* requested the indulgence of the House while he endeavoured to give some explanation with respect to his own share in the transactions which had been adverted to, and also while he made some reply to the observations which had fallen from the hon. and learned Member for Bath (Mr. Roebuck). The subject might not appear very important or interesting, but he could assure those Gentlemen who had perhaps not attended to the whole of the details in which the hon. and learned Gentleman had entered, that a subject more important to the real interests of the country, whether they considered its relation to Canada in a commercial or in a more general point of view, could not be brought before Parliament. Although he had not the good fortune to agree with the hon. and learned Gentleman in many of his observations, he fully and entirely concurred in the hon. and learned Gentleman's appeal to the House to consider this great question as one not only involving the affairs of Lower Canada, not only involving, he would say, the connexion between British North America and this country, but involving also the conduct of Government, the character of Parliament, and the honour of the country. He would endeavour to approach the consideration of so extensive a subject with temper, and in a spirit of calmness and impartiality. He would adopt the precept of the hon. and learned Gentleman himself, and he only wished that he who gave the recommendation had shown that he could follow it himself. He wished that the hon. Member had approached the subject, as he would endeavour to do—not for the purpose of casting blame or recrimination on any individuals, but with the sole view of considering the course it was the duty of Parliament to pursue.

He must say, not only with reference to this debate, but with reference to former discussions on the same subject, that the learned Gentleman had, by his mode of treating it—he said this with a knowledge of the fact—done more to create difficulties and to throw obstacles in the way of an amicable arrangement of these great matters, than the exertions of his whole life, whatever they might be, with the best intentions to boot, could ever repair. Was it to go abroad—was it to be endured that a British Member of Parliament, in bringing forward a question of this nature, should stand up in that House and claiming to speak authoritatively in the name of the people of Canada, should declare, that if they did not procure redress, they were determined to have recourse to the same violent measures as severed the United States from this country? Did it become a British Member of Parliament to say, on the part of these petitioners, that he stated, in the name of the people of Canada, that if all they asked were not conceded, the colony was determined to rebel? Was it just, or was it necessary to venture on an appeal to the fears of the House of Commons, while the hon. and learned Gentleman knew and must know that if he appealed to their justice, that if he appealed to their sympathy on behalf of the most distant of the British possessions, those colonies would be entitled to a fair hearing at the hands of Parliament, and would receive it? He wished that this case had been discussed in the language of calmness, and temper, and moderation. Far be it from him to say that there had not been much in the state of Lower Canada of which the Canadians had just cause to complain. He admitted it. But this fact did not stand upon his assertion, only, it stood recorded on the proceedings of the House—it was proved by the information of every one who had considered the subject—it stood recorded in the reports of their own Committees—the speeches of successive governors recorded in the acknowledgment of successive Ministers. Still he said, that the best, the wisest, and the most statesman-like policy, and let it be remembered that the hon. and learned Gentleman had prescribed rules to statesmen, and taken upon himself to lecture them for want of temper and discretion—was not to get lost in the wild vortex of words, but calmly to investigate facts; to inquire accurately, and having discovered the course of duty, to pursue that course of duty steadily and unflinchingly. He felt it necessary to follow the hon. and learned Gentleman through some of the observations he had made, though undoubtedly he should not go quite so far back as the hon. and learned Gentleman had gone. He should be extremely reluctant to adopt such a course of proceeding, and he should, therefore, proceed from the period at which he conceived the affairs of Canada were first fairly brought under the consideration of the House, he meant the appointment of the Canada Committee of 1828. It was not for him to decide whether the appointment of that Committee was or was not a wise and prudent course; it was not for him to decide whether the affairs of

Canada which were submitted to that Committee would or would not have been better left under the direction of a responsible Government; but whatever might be thought on that subject, he was quite certain that one statement could not be contradicted—that the Select Committee were earnest and zealous in their intent and determination to probe to the very bottom every real grievance, and to suggest every real and practicable remedy. He would say, without hesitation, that a more honest or a more indefatigable Committee never was appointed, and never sat; and if he wanted evidence of the fact, he would say it was proved by the course of their inquiry; and by the report they had made. He had not those documents before him which had been referred to—he should have some observations to make hereafter on the irregular and unparliamentary manner in which certain documents had been quoted by the hon. and learned Gentleman on the present occasion—he would not avail himself of them at the present moment; but he knew, and the hon. and learned Gentleman also knew well, that frequently, from the year 1828 up to the present period, the recommendations of that Committee had been made the subject of most earnest eulogium, even by the popular party of Canada itself, and that for a very long period—until the union of excited popular feeling on the one hand, and disappointed hope on the other, produced the state of things which existed in Canada at that moment—the utmost that was required on the part of the Canadians was, that the recommendations of that Committee should be carried into full and entire effect.

He regretted, and he intended to do no more than, in passing, to express that feeling with reference to a matter now gone by, he deeply regretted, that the recommendations of that Committee were not more immediately acted upon by the Government and the House. He believed that in this, as in other cases, the delay of wise and provident Reform had led to exaggerated expectations, and had thus produced the spirit of discontent which now unfortunately prevailed. He believed that if, in the year 1828, the full recommendations of that Committee had been carried into effect, they would never have heard of the ninety-two resolutions, or of the existing state of things in Canada. Further information, however, was called for. The year that followed 1828 was one during which the attention of Parliament was occupied by other, and perhaps more important questions. Nothing was done to settle the Canadian question; and discontent accumulated upon discontent; complaints, irritation, distrust, and misconception between the Governor and the Assembly; and, up to the year 1830, when his noble Friend, Lord Ripon, became Colonial Secretary, no effectual steps had been taken, to carry into full effect the recommendations of the Committee. He did not state this as a matter of serious charge against any individual, because from the state of political questions in that House, it was next to impossible for any one to find an opportunity of bringing such a topic as the affairs of Canada before it; still, to that unfortunate circumstance he attributed all the evil consequences that had followed. The hon. and learned Gentleman had acknowledged that, in some respects, Lord Ripon, by various measures, deserved the confidence and thanks of the Canadians: but were they satisfied with him? He must here beg to set the hon. and learned Gentleman right in one particular. The hon. and learned Gentleman had taken upon himself to cast certain animadversions on the conduct of his noble Friend the Member for North Lancashire (Lord Stanley), to whom the hon. Gentleman had imputed the act of breaking off all intercourse between the Governor and the Assembly. The hon. and learned Gentleman was totally and entirely misinformed as regarded the question of fact, for the severance of that intercourse had taken place before his noble Friend went to the Colonial Office. Thus, if it were to be imputed to any man, Lord Ripon must be that person. But had the hon. and learned Gentleman pursued a fair or reasonable course? Notice had been given by him, that a petition was to be presented relative to the affairs of Lower Canada. A Committee, on which he should have more to observe hereafter, had been appointed in the last Session of Parliament, and for reasons which were quite satisfactory to that Committee, they agreed that the evidence taken before them should not be reported to that House. They were unanimous upon the subject; the hon. and learned Gentleman himself concurred with the other Members of the Committee on that point. And yet, upon the present occasion, for no other purpose than that of raising a charge against his noble Friend, what did the hon. and learned Gentleman do, but bring down in his pocket that unreported evidence, and with the view of laying some foundation for that charge, read that evidence to the House. He felt that he had no right to appeal to that evidence; and he would not appeal to it; discretion, as well as impartiality, ought to have precluded any use of it by the hon. and learned Gentleman. The dispatches and documents to which the hon. and learned Gentleman had referred, had never been reported to the House, and he had no right to make use of them. In 1832, the ninety-two resolutions, amounting almost to a declaration of war by the Assembly against the Government, passed. A petition was then presented to the House. How was that petition met? By the appointment of a Committee upon it. The hon. and learned Gentleman had made a remark, as if that were a packed Committee, ready to do the bidding of a particular individual, capable of being influenced and led away from the paths of justice by the Minister, and not likely to deal fairly or impartially with the subject. The House would just permit him to read the names of the Gentlemen of whom that Committee was composed. He hoped they would go forth to the public; let the people of Canada know the names of the members of that Committee, let the people of England know who were the Gentlemen who were supposed by the hon. and learned Member for Bath to have so weak a sense of justice or impartiality. The appointment of the Committee was agreed to on the Motion of his noble Friend; and his name was consequently the first on the list. The second name was that of the hon. and learned Member for Bath, Mr. Roebuck. He believed he might read the names, as they were now matter of history:—Mr. Frankland Lewis, Mr. Williams Wynn, Mr. Evelyn Denison, Mr. Loch, Mr. Fazakerly, Lord Sandon, Mr. Labouchere, Sir James Graham, Mr. Goulburn, Lord Howick, Mr. Baring, Mr. Ellice, Mr. Robinson, Mr. O'Connell, Mr. Robert Grant, Sir Matthew White Ridley, Mr. Bonham Carter, Sir Henry Hardinge, Mr. Henry Lytton Bulwer, Mr. Ward, Sir George Grey (Sir George Grey observed, that he had been unable to attend), Mr. Ramsden, Mr. E. Stewart, Mr. Romilly, Sir William Molesworth, and he (Mr. S. Rice) was afterwards added. Undoubtedly the majority of the persons whose names he had read did not concur in the views entertained by the hon. and learned Gentleman. That, however, was not the question; the question was, whether that House and the public would believe that a Committee so constituted would have shrunk from the performance of any portion of their duty. It did so happen that the hon. and learned Gentleman was left without even this refuge, because on every one point that was essential in the Report of that Committee (to which Report he had not adverted in the slightest degree) they were unanimous. There was only a difference of opinion upon one word—the word "mutual," as connected with "misconception;" on every other point—on all that relieved his noble Friend, and ought to have protected him that night from the attack that had been made upon him—the hon. and learned Gentleman himself was a concurring party, as were the hon. and learned Gentleman's friends. He appealed to the Members of the Committee whom he then saw around him, whether this was not the fact?

[Mr. *Roebuck* stated, several of the Members named were not present, and could not, therefore, have coincided in the Report.]

He had only to say, that, if Gentlemen did not choose to attend, it was a very easy way of raising a clamour; if Gentlemen charged a Committee with partiality, because they overruled some of their points, it was an easy mode of making such charges; it was still easier to do so if they absented themselves afterwards from the Committee. If hon. Gentlemen, being Members of a Committee, chose to go away, what an injustice were they guilty of in throwing obloquy upon the decisions of such Committee? But he would take upon himself to say, that there was no person acting as a Member of the Committee in question who did not concur in the Report which they had made. The hon. and learned Gentleman himself concurred in every part of it. That Committee had only had one division; and the hon. and learned Gentleman had adverted to the parties, who were friends of his (Mr. Rice's) noble Friend, the Member for Lancashire; and yet, what was the consequence? why, that this portion of a packed Committee, as the hon. and learned Gentleman implied it was, found themselves in the minority upon this occasion; the hon. and learned Gentleman voted with the majority. The only division was that, therefore, in which the hon. and learned Member assisted, and had assented to. Upon the universal assent of the Committee the Report had been submitted, and, by the decision of the majority, of whom the hon. and learned Gentleman formed one, the Report had been amended. He, therefore, thought that the hon. and learned Gentleman was to be considered as an approving party, and that the hon. and learned Gentleman was late in coming down to the House with repeated charges, which had been previously negatived by the very report to which he had been a party. He would himself allude only to the Report; but, with reference to the evidence which had been given before the Committee, he felt that he had no Parliamentary right to allude to its contents, it having been determined that it should not be published. The Report declared, that there had been, on the part of his Majesty's Goverment, a most anxious desire to carry into effect the suggestions of the Committee appointed in 1828; that the endeavours of the Government had been unremitting, and that they had given to the interests of this colony their undivided efforts, which had been entirely successful. This was the answer, then, to the charges which had been made at the above period. With a candour and frankness almost without example, there was not a single fragment of a letter in the Colonial Office which had not been laid before the Committee; nothing had been kept back —nothing had been concealed—and he would take upon himself to say, that no one could deny but that the whole of the proceedings on the part of the Colonial Department were most unreserved. It so happened that, with reference to the Report to which he had alluded, it was not judged necessary by the Committee to enter into any examination of witnesses on the part of the late Secretary for the Colonies; the examination was confined to the witnesses on the other side. His noble Friend called no witnesses at all, but rested his case upon the testimony of those who appeared against him, and upon their statement the Report was drawn up. So much with respect to the conduct of his noble Friend. He should have been ashamed of himself if he had risen for his own vindication; but he must be allowed now to proceed to that portion of the case which more particularly affected himself. From all he had observed, after he was added to the Committee, and from all he had heard of what had been going on before, he felt bound to say, that no individual could have conducted himself with more fairness upon that Committee, than the hon. Gentleman who had presented the petition; but it was of some consequence to know what took place between himself and that hon. Gentleman. At that time there were two gentlemen in London who were connected with Lower Canada. It seemed to be the wish of the Committee that he, then holding the Seals of the Colonial Department, should see those gentlemen —Messrs. Viger and Moriu—and he was made acquainted with them by the favour of the hon. and learned Gentleman; and it was right to state what took place between those gentlemen and himself. At that time there was a Bill pending in the House which had been introduced by his noble Friend—his predecessor in office,— and which, if it were to be carried through, must have been carried through by him; but he did not concur in the measure, as the effect of it would have been, to have suspended the operation of a former gift, and to have deprived Canada of the power of appropriating it. He was not then prepared to proceed with that Bill; he felt however it might be right to make concessions to Canada, yet he was of opinion that great caution in the proceeding was required, and the hon. Gentleman must recollect, that he told him he would not say that it might not be expedient, at some future time, to have such a Bill; at that period he only asked for time. He stated this to the gentlemen whom he had mentioned, and who, though not officially recognised as agents from Canada, were deputed by the Assembly, and had much influence in its affairs. At the time the Report was made, there were two years' supplies due; and he intimated, that, if the Legislative Assembly would pass an unconditional supply bill for those years, he would go earnestly to work, and enter into the whole question, with the view of devising such measures, and preparing such instructions, as he thought might meet the necessity of the case. He told those gentlemen what he proposed, and they said they thought it would be satisfactory to the Legislative Assembly of Canada. He had no intention of gaining time, merely for the purpose of giving the matter the go-by; for he should have considered it his highest reward, and the greatest honour of his life to have been enabled to settle the Canada question in a manner satisfactory to all parties. He did then apply himself seriously and diligently to the affair; and he could tell the House why he did not carry his plan into execution. He had prepared a despatch for the Governor of Lower Canada, stating the intentions of the Government with respect to the course which he thought ought to be pursued. It was a long and an elaborate despatch prepared, he believed, on the 13th of November. It was an affair of so much consequence that he did not think it right to dispose of it, without communication with his colleagues. On the 14th, therefore, a Cabinet Council was appointed, for the Saturday following, to have that despatch considered. The packet was to have sailed with it on the Monday, but the letter of instructions was not dispatched on Monday, because the Cabinet itself was dispatched on the Saturday morning, two hours before the appointed time at which it was to have met. While walking down Regent-Street, that Saturday morning, in expectation of meeting his colleagues, he met an acquaintance wholly unconnected with political life, who was polite enough to inform him that he was no longer in office; and such was the first intimation he had of being himself dismissed. If hon. and learned Gentlemen who were giving their attention to improvements in the law of the country, were desirous of considering how the process of ejectment might be rendered most speedy and effectual, they would do well to study the proceedings of that day. After this event, he had no other course to pursue but to communicate humbly to his Majesty, through the head of the Government, that the packet having been ordered for Monday, the most convenient course to be taken would probably be to send a despatch to Lord Aylmer, informing him of the change in the Government. That was done. The draft despatch remained, therefore, a private document, because it had never been finally approved of by the Government, and he had now no right to make use of in debate. It might be easy for him to say "such and such a thing was intended to be done;" but he did not think that would be a just course by the present Government; he should prefer remaining subject to any imputation that could be thrown upon him rather than attempt to justify himself at the hazard of prejudicing the public service. The hon. Gentleman might, perhaps, say, "But all this occurred in November, and you took the Seals of Office in June; why then was not the despatch ready sooner?" The answer to that question was, that he wished the despatch to arrive in the colonies contemporaneously with the meeting of the House of Assembly. His desire was, that it should not reach the colonies at a time when it was possible that it might be dealt with uncandidly by the one side or the other. He was anxious that the intentions of Government should only arrive in Canada when the local Government should be prepared to act upon them; therefore it was that the despatch was not improperly kept back till November. What had been done since it was not for him to know. The hon. Gentleman had asked particular questions, and one was with respect to the appointment of Judge Gale. He considered that the appointment of Judge Gale was unfortunate, and was one which he could not advise his Majesty to sanction. That Gentleman was so mixed up in the affairs of 1828, that he thought his appointment one which ought not to be confirmed. There was, also, the appointment of Judge Kerr, who was a Judge of the Court of King's Bench, and also of the Admiralty Court — situations which the Assembly considered to be incompatible. He had directed a severance of the two offices. The course he took was, to direct the names of several Members of the Canadian Bar to be laid before him; and that means should be afforded to him to judge of their fitness for the appointments to be filled up. He was anxious, naturally, to avoid the choice of a partisan at either side. He desired that the names of Members of the Canadian bar only should be sent—the names of men who spoke fluently the language of the country, and who were familiar with its laws; for one of the complaints had been, that appointments were made, from this country, of persons to fill judicial and other appointments, who were not sufficiently acquainted with the French language or with Canadian institutions. He stated that he should not object to the name of Judge Gale being sent amongst those who might be returned in the list of what he might term persons qualified to fill the three vacancies including that created by the removal of Judge Kerr from the Admiralty; he was not precluded by that statement from making his selection from any in the list whom he might consider most competent. There was one point in the Petition which the hon. Gentleman, in presenting it, did not advert to. It would be in the recollection of the House, that Lord Dalhousie directed certain public expenses to be paid out of Canadian revenues, unsanctioned by any Legislative authority. That proceeding was disapproved of by the Committee of 1828, and it was alleged, that he had since acted contrary to the opinion expressed in that Report. He begged to say, that he had done no such thing. In what he did he acted under the advice, and upon the responsibility of, all his Colleagues. Two years' income were due to the Government officers throughout Canada: those individuals, high and low, had been deprived of all payments during that period. Their distress was, in many cases, most urgent; many of the public servants were under the necessity of raising money on disadvantageous terms, and some were thus subject to extreme pressure and distress. The Canadian money was in the hands of the Receiver-General, and there was the utmost confidence entertained that, in November, at the meeting of the Assembly, a Bill would be passed for the appropriation of that money. Parliament not being sitting at the time, it was thought advisable to give directions, that if there were officers of the Government in a state requiring relief, and having two years' arrears then due, there being every confidence that the money would be repaid in the following month of November, that an advance should be made not out of any Canadian funds, but out of the extraordinary resources of this country, in order to meet their necessities. In doing this, he trusted he did no more than the House of Commons would be ready to sanction. Wherever blame rested, if blame were imputable to any one, it did not, by any means, attach to those officers who were relieved, and they ought not to suffer—it was a question, in fact, merely of temporary advance in regard to which an account had been directed to be communicated to the Assembly, and he did not believe the opinions and feelings of the people of Canada at all disapproved of it. He thanked the House for the attention which they had given to his statement, tedious and uninteresting as it might have appeared. He wished he were in a position in which, without irregularity, he could have taken the liberty of stating those views of policy that were opened in the despatch to which he had referred. He should not, however feel himself precluded at a future period, when discussing the affairs of Canada, from considering what ought to be done. The case was, undoubtedly urgent; but it was not to be met by the language of threat or intimidation, held out by the hon. and learned Member for Bath. He did not mean to detract from the hon. and learned Gentleman's merits, in having taken up the cause of the liberties of Canada; but before the hon. and learned Member for Bath was in Parliament at all, Canada was not without its able, disinterested, and zealous advocates. His hon. Friend the Member for Taunton (Mr. Labouchere) had often called the attention of the House to that important and interesting subject, and in a manner which recommended it to enlightened reason and reflection; and, if he might presume to offer a word of advice to the hon. and learned Member for Bath, he would say he should imitate the example and spirit of his hon. Friend, and, while discharging his duty, endeavour to create feelings friendly to, and not at variance with, attachment to the mother country—not exciting national pride where national justice should be appealed to; and making that matter of passion which ought to be a matter of calm and enlightened conviction. The hon. and learned Member for Bath was not more sincere than he was in wishing well to the Canadas, nor more sensible of the importance of those Colonies. But, perhaps, he might take credit to himself for feeling more deeply than the hon. and learned Gentleman the value of their connexion with this country. Talk as the hon. and learned Gentleman might, of the 13,000,000 of Republicans on the other side of the Atlantic, whom he presumed likely to favour Canadian discontent—the connexion with Great Britain, provided justice were done, was much more valuable in itself, and he believed, more dear to the sound part of the Canadian population, than any advantages which the United States could hold out. He hoped, in considering what was just and proper to be done, they should avoid in that House the use of intemperate language, which on the other side of the Atlantic would only increase the existing difficulties by which this interesting and important question was encompassed on all sides.

Lord *Stanley* assured the House he had no intention whatever to rise on the present occasion, feeling as he did that his own vindication, if any were necessary, had been amply and honourably furnished by the statement of his right hon. Friend (Mr. Rice) who had just sat down. He was under no apprehension that he should be tempted to pursue the course followed by the hon. and learned Member for Bath; and with regard to the personal attacks which had been made on him, he felt he should best consult his own credit, and the good taste of the House, by entirely and at once passing them over without a single comment, as altogether unworthy of the slightest notice. So far as the accusation went of his having in an official situation neglected his public duty, and tended to alienate the affections of his Majesty's Canadian subjects, his answer was, that last year, when the hon. and learned Member for Bath, on the part of the present petitioners, called for a Parliamentary Committee, in order to investigate this matter—his answer was, "Let there be a Committee of the House of Commons; let them go into every one of the charges;" and his promise was, which he realised to the letter, that from the stores of the Colonial Department, from every means he had of giving information, nothing should be withheld, nothing concealed, entertaining sincerely the desire, that the whole matter should be more fully, more perfectly, and more impartially gone into than in the hurried space of a general discussion in that House. Into every one of the charges they did go; and what was the course which the hon. and learned Member then pursued? The House of Assembly, or rather the majority of that House, had, in order to substantiate their allegations, sent over persons to act as their agents. On each separate charge one of those individuals was examined by the hon. Member himself; on every one of the ninety-two articles the hon. and learned Member, before any other step was taken in the Committee, was asked whether he had anything to say, and he (Lord Stanley) was afterwards asked whether there was anything on the part of Government to submit. Upon the papers so produced, on the examination so conducted, and without one single particle of evidence adduced on the part of Government, was he prepared before the Committee to meet their verdict. He did so meet it; nor did he shrink from a specific verdict on each and every one of the resolutions. He appealed to the Members who were present whether he had not acceded most reluctantly to a request that the evidence, and a separate verdict in each case, should not be taken, because by publishing that evidence, and giving those verdicts, feelings of irritation might be excited in the Canadas which would be injurious to the public interest. As a public officer, he had gone to the utmost verge in sacrificing what was due to himself personally, for the purpose of preventing that irritation and injury to the public service. And, he asked, after that concession—after the hon. and learned Member himself had agreed to the general declaration that there had been on the part of Government an earnest, unremitting, and anxious desire to carry into effect the recommendations of the Parliamentary Committee of 1828, in many instances with eminent success,—after challenging a separate verdict on each charge, was it fair, was it honourable, was it even decent that the very same charges so examined into by the Committee, and refuted before it over and over again, should now be made matter of renewed attack in the course of a discussion on the presentation of a petition? So far as he was concerned, he should desire nothing better than that the whole of the evidence which the hon. and learned Member had brought down should be laid on the Table of the House; but after having acceded unwillingly to the suppression of the evidence, and a verdict of acquittal having been virtually pronounced in favour of the Government, it was most irregular to bring forward the same accusations, as if they had not already been sifted thoroughly and separately and individually disproved. He did not personally complain; he did not object to the petition being received and treated with all the respect which it merited; and he thought he should better discharge his duty by leaving the case in the hands of those who had no private interest or personal prejudice in the matter—those who had succeeded him in office, and those who now held the reins of Government at the present moment. There was only one point to which, in conclusion, he would allude, and in respect of which the House might judge of the hon. and learned Gentleman's accuracy of statement. It had been made a matter of charge, coupled with sundry courteous expressions, which he should not more directly allude to, that from the moment of his coming into office, and in consequence of the disgust which had thereby been occasioned, the House of Assembly declined any further communication with the Government. Did the hon. and learned Member not know that the House had passed that resolution three or four months before he had been called on to assume office? He had not the despatch by him at the present moment; but he was much mistaken if the very first despatch which he wrote to Canada within one month after receiving the Seals of office, and taking up the subject where it had been left by his predecessor, did not contain an animadversion on that very resolution, and the hon. and learned Member might have known of that despatch, it having been laid before the Committee, and being actually in his possession at the present moment. Whatever steps he had taken had been in the way of following up the course of his predecessor in office, and with his consent and concurrence. With these observations he left his justification to the statement of his right hon. Friend and the general sense of the House.

Mr. *Robinson* declared that, in the whole course of his Parliamentary experience, he had never heard a more unfair, distorted, and intemperate address than that of the hon. and learned Member for Bath. In one respect that hon. and learned Gentleman was a fit and proper representative of the Canadas—he represented all their intemperance. He did not deny that there was much to complain of on their part, but there was every disposition in the House and in the Government to look into the question with a view to its satisfactory adjustment. The hon. and learned Gentleman, however, told them, that the Canadian party would never be satisfied unless they had an effective legislative council. That might or might not be a proper thing to introduce into the Colonies, but such an experiment would be a complete departure from all the principles of British legislation by which the Colonies had hitherto been governed. He despaired of seeing the subject brought to a satisfactory issue after such an exhibition as they had been favoured with to-night. He denied that the hon. and learned Gentleman spoke the sentiments of the Canadian public, or even any considerable portion of them. It was said, they would rebel if the whole of their demands were not conceded, being backed by 13,000,000 of sturdy Republicans in their neighbourhood; but with all his acquaintance with the colonies he must be permitted to say, that such was the opinion only of the most wild and visionary of mankind. The hon. and learned Gentleman had written a letter to the Colonies, in which he recommended an appeal to arms.

Mr. *Roebuck* begged to set the hon. Member for Worcester right. That hon. Member had misrepresented him. He did not advise the Colonists to appeal to arms, but he recommended them to pursue any other course rather than resort to arms.

Mr. *Robinson* would ask the hon. Member, whether he had not mentioned to the people the possibility of their being called upon to appeal to arms. He recollected, however, that the hon. Member for Middlesex, with whom the hon. Member for Bath was in the habit of acting, alluded to the Canadians resorting to arms in a certain contingency with something like approbation. He could not but complain that such dangerous language was used to the Colonists; and he firmly believed that nothing tended so much to prevent a satisfactory settlement of the Canadian dispute, as the conduct of the hon. Member for Bath and the hon. Member for Middlesex. Those hon. Gentlemen had by their conduct, sanctioned many of the charges brought by the Canadians against the British Land Company. The hon. Member for Bath had even gone the length of allowing his name to be used in connexion with a statement which declared, that those who purchased land from that Company, bought it without a legal title, and might be dispossessed of it. But he must declare, that the tenure of the land sold to the emigrants to Lower Canada was as good as that in any other of the Colonies; and that the whole end and object of bringing these charges was to prevent the emigration of British settlers to that Colony. The House was already aware that a strong feeling prevailed in Lower Canada against persons going out from this country to settle there. The hon. Member for Bath was certainly not the representative of the British population in that Colony, nor was he the representative of the great portion of the respectable Canadians; but only of a small faction under the control of Mr. Papineau. That person, who was Speaker of the Assembly in Lower Canada, and whom the hon. Member had continually referred to and praised, had made the most gross attacks upon him as Chairman of the British Land Company, and had called him a vile sharper. If that person had addressed such language to him in this country, he would have treated it as a personal matter of a very different nature. He admitted, however, that the consideration of questions of this kind ought not to be mixed up with personal matters. In conclusion, he thought that it would be advisable to take some steps, so that for the future no persons should be members of the Council who were not possessed of large property in the Colony, for heretofore it had appeared as if gentlemen had been placed on the Council rather in consequence of their connection with the Government than on any other account. He had no doubt that the right hon. Gentleman now at the head of the Government would take care that respectable persons connected with the Colony should be placed on the Council, by which means he would do much to settle the unhappy differences that prevail there. The hon. Member for Bath wished to do away with the Legislative Council, and govern the Colony by means of the House of Assembly and the Governor. The adoption of such a course would lead to the severance of Lower Canada from the Crown of England, and would prevent English subjects settling in that Colony. He had no doubt, that the present Government would take up this subject with the earnest wish to do justice; and would pursue such a course as would direct the tide of emigration to that fine country. If, however, they left things as they were, or adopted the course suggested by the hon. Member for Bath, emigration would be checked, and not many years would elapse before that country became a waste, as it originally was.

The *Chancellor of the Exchequer.* I beg to assure the hon. Member who has just concluded, as well as the House at large, that it is because I wish to act upon the advice he has now given me, and because I desire to view the subject dispassionately, and divested of the difficulties in which it is sought to immerge it, that I rise for the purpose of deprecating the continuance of a discussion which, in my humble opinion, is neither likely to conduce to the amicable settlement of the unfortunate difficulties that prevail between the Canadian Colonies and the British Government, or to place the question in a point of view which will make it more intelligible or less intricate to those to whom its several bearings are imperfectly known. I do hope, Sir, that this debate will not be continued; but should it not meet the wish of the House that it should here stop, I do trust it will be continued without any further reference to Mr. Papineau or his actions, to the Canadian party as opposed to the English party, or, in short, without further reference to any of those exciting and unincidental topics with which it has pleased the hon. and learned Member for Bath to charge his speech. I am, however, inclined to hope that the course which his Majesty's Government have resolved upon pursuing in reference to the subject, and which I am now about to announce, will be deemed a conclusive reason why the advice of the hon. Member for Worcester should be generally followed, and why this discussion should, at all events, for the present, be brought to an end. Before, however, I proceed to state the intentions of the Government, I must be allowed to say a few words, in answer to an observation of the hon. and learned Member for Bath. Referring to the great delay which has taken place in the settlement of the disputed matter, the hon. and learned Member said, he attributed it altogether to the frequent changes which had of late years occurred in the office of Secretary of State for the Colonial Department, and concluded by recommending that a fixed office, not determinable on the changes in the Administration, should be created for the management of Colonial affairs. Such a remedy, I do not hesitate to say, is one altogether incapable of adoption. The Executive for the time being, it is quite evident, must, as a body, be answerable for the management of the highly-important affairs coming under the jurisdiction of the Colonial Department. Now, how could that responsibility be attached to them if they were to have at the head of that department an officer altogether independent of their control, and totally irresponsible to them for any acts he might direct in the management of those affairs. Such an arrangement could not be satisfactory to any of the parties concerned in Colonial affairs; and great as might be the inconvenience attendant upon frequent changes in the office of Colonial Secretary, I am prepared to maintain that the remedy proposed would be far from an improvement. I think I can, however, satisfy the hon. Member, that at all events the recent change in the Administration, has not prejudiced the consideration of the present question, and that it shall not do so. I am ready, on the part of my noble Friend the Secretary for the Colonies, to give the hon. Member every pledge he may desire. On the appointment of Lord Aberdeen, he found this Canadian question in precisely the same condition it was left by the Committee which sat in 1830. The right hon. Gentleman opposite has stated that when removed from office, he was on the eve of proposing to his colleagues in office certain principles on which a settlement of the question should be sought. I believe that to have been the case; but, as the right hon. Gentleman has stated, of those principles no record was left by him at the Colonial Office. For my part, and I am sure I may say the same on the part of my noble Friend, I much wish that such a record was in our possession, because, in addition to the opportunity it would have given us of testifying our respect for the opinions of the right hon. Gentleman, it could not but materially have assisted us in the task we had to perform. The right hon. Gentleman's motive for taking with him all the documents he had prepared on the subject, no one can question; it was that his successor in office should not be embarrassed by his views in forming his decision; but, much as I am disposed to do credit to the proper spirit which characterised his conduct, I cannot help repeating my regret that Lord Aberdeen should not have had the benefit of his opinions. However, notwithstanding the recent change of Government, and notwithstanding, also, the arduousness of the duties in which, immediately on his appointment as Secretary for Colonial Affairs, he finds himself involved, I am happy to say measures have already been taken to insure a settlement of the differences. On our taking office, we felt that the question demanded instant consideration, and we accordingly had it communicated to the Colonial authorities that we were determined at an early period to proceed to the settlement of the disputes. With this view we authorised Lord Aylmer to inform them that his Majesty had determined to send out to Canada a representative totally unconnected with local politics, altogether unembued with local prejudices, and completely unmixed in Canadian affairs, who should be enabled on the spot to take a whole view of the subject, and being in full possession of the opinions and intentions of the Government here upon the several matters in dispute, might report upon the best and most satisfactory means for bringing them to a final adjustment. This is the course we propose to adopt. We felt the greatest difficulty in bringing the matter to a conclusion, by written communications. There might be misunderstanding on some points, misinterpretation on others, and the distance between the two points rendering the clearing of those misunderstandings and misrepresentations, a most tedious and difficult process, we, after mature deliberation, came to the resolution, that it would be better to send out a person in full possession of our views and intentions in the several matters to be adjudicated, and enabled to enter into full communication with the Canadian authorities upon them. Our final intention is, upon a report of the real state of the case being made to us, to remove what is justly obnoxious, and in place of it, to propose those measures which we believe to be consistent with justice to the parties concerned, and with sound policy as regards the general interests of the country. Under these circumstances, I think the House will feel that I take the most prudent course in declining to enter further into the subject at present, and I, at the same time, hope they will agree with me in the opinion that the course most likely to bring about an amicable settlement of the dispute, is that which his Majesty's Government have adopted. We do not mean to disregard the petitions of the Canadian population, but we mean to appeal to their sense of reason and justice; and we believe, firmly believe, that our appeal will prove successful. We will give their claims every just consideration, but, at the same time, I am bound distinctly to state, we do not mean to declare any new principle of Government in the Colonies. Our object is to see of what it is the Canadian people complain, and then to see to what extent those complaints are founded in justice. If we find they are not founded in justice, our aim shall be to prevent their continued and useless agitation; but if, on the contrary, we find they are founded in justice, we shall apply ourselves in a spirit of conciliation, and without regard to the epithets of contumely and insult previously heaped upon us, to their permanent and satisfactory removal. Having stated thus clearly what is the course we have resolved upon pursuing, in reference to this question, I beg to assure the House, I shall not occupy their attention by any comment upon the numerous and unincidental topics introduced by the hon. Member for Bath into his speech. One word, however; a sense of justice compels me to say in defence of the noble Lord, the Member for North Lancashire, whose conduct has been so unjustifiably attacked by the hon. Member who originated this discussion. Sir, I do not believe that the conduct of any Ministry of this country, or any public man, Minister or otherwise, was ever exposed to so severe an ordeal, as that of the noble Lord to whom I allude; and I may say further, I doubt whether any man could go through such an ordeal, with more honour or credit to his character than did the noble Lord. While a Minister of the Crown that noble Lord went before a Committee of the House of Commons — a Committee indiscriminately chosen—having on its list many Members adverse to the policy of the Government with which he was connected—a Committee as fair a representative of the average opinions of that House, as could possibly be selected—a Committee as fully the representative of the interests of the Canadian body, as of the British party in Canada—before such a Committee the noble Lord went, and, after producing to them every document, public or private, his office contained, left it to them to judge whether the complaints brought against him were founded in justice or otherwise. Sir, I repeat I know of no example of a Minister having taken such a course to free himself from accusation, and much less of a Minister, after taking such a course, passing through the ordeal so honourable to himself and his character, as did the noble Lord. As far, therefore, as the accusation of the hon. Member for Bath is concerned, I think the noble Lord best consults his own dignity, by treating it with indignant, or rather contemptuous silence. I would here, Sir, cease to occupy the attention of the House, were it not that there occurs to me one other point in the hon. Member for Bath's speech, which I do not think I ought to pass over without notice. The hon. Member has been pleased to threaten us, that unless everything the Canadians ask for is granted them, they have determined upon rebellion. Those, I think, were the expressions of the hon. and learned Member. He also undertook to assure us, that thirteen million inhabitants of the United States of America, a country with which Great Britain at this moment enjoys the profoundest amity, a country with which Great Britain is almost daily interchanging expressions of most friendly feeling, a country with which Great Britain has scarcely a subject of difference—their old jealousies being now removed, and each, conscious that the prosperity of the other must influence its own prosperity, reciprocally desiring that peace, tranquillity, and good order might flourish in the other —such, Sir, I say, being the state of the two countries, the hon. Gentleman thinks fit to declare that if a rebellion should break out in Canada, the whole of the United Provinces are prepared to interfere in our domestic quarrels, and join these rebellious Canadians. Now, Sir, I will not do the United States the injustice to believe, even for a moment, that they, or any one on their behalf, could have authorised the hon. and learned Member to make such a declaration within the walls of the British House of Commons. I have too high an opinion of their justice and integrity; but even if that opinion were wanting, I entertain such a sense of their shrewdness, common sense, and discretion, that I cannot believe they would select as their organ in this House, the hon. Member who has thought proper to represent himself in that capacity. With respect to his declaration of the intentions of the Canadians, I have also a word to say. I think, Sir, it is far better for me instead of being exasperated by the language the hon. and learned Member has been pleased to put, as it were, into the mouths of the Canadian party, of whom he says he is the representative, and instead of demeaning myself by retorting equally hard words and unworthy expressions, simply, and in the plainest language, to state, that I both hope and trust the hon. Gentleman has had no authority from that party to tell the British House of Commons, that, unless all their demands are acceded to, they will have recourse to rebellion. Indeed, Sir, painful as the alternative would be, I should be rather inclined to believe that for the moment—I say, Sir, only for the moment—the wisdom and discretion for which the hon. and learned Gentleman is so remarkable, forsook him, than to suppose that he gave us a correct report of the intentions of his, as he has been pleased to term them, constituents. But if, on the other hand, it should turn out that his information is correct—if it be true that the Canadian people, or any part of them, have instructed the hon. Member to act in the capacity of their Minister at War, and to declare in the British Parliament that they are prepared to rebel, if all their demands are not acceded to—I, as Minister of the British Government, will meet them, not with any counter declaration of hostility, but, with the hand of peace and friendship grasping theirs, I will say to them, "Still we intend to do you justice—still, notwithstanding we derive from your menaces a fresh source of strength—although by your threats you arm us with fresh means of arousing public opinion on our side—and although by your unfounded accusations, accusations which in the end will recoil on yourselves, and give us the strength to disregard your vaunting, you induce a fresh conviction of your injustice and intemperance, we are determined to go on unflinchingly in the course we have set out on; and, by removing all fair ground for complaint, take from you even the pretence for asserting that his Majesty's Colonial subjects do not meet from the British Government that consideration and attention to which they are entitled.

Mr. *Hume* said, that the hon. Member for Worcester (Mr. Robinson), with his usual disregard of facts, had told the House that the petition that had been presented, did not represent the feelings and wishes of the colonists! but he would ask, in what better mode than by such a petition could their wishes and feelings be ascertained? The disputes existed, be it remembered, previously to the late general election in Canada, which was as strongly contested as any in England before the passing of the Reform Bill. There could be no doubt but that the petition was the deliberate expression of the opinion of the people. No less than 10-11ths of the population were of the faction (as it had been called) of Mr. Papineau. Was the hon. Gentleman aware, that out of eighty-eight representatives which Lower Canada sent to Parliament at the last election, only twenty-seven represented what he termed the British interests, and constituted what might be more properly described as the Tory party? What was the result of the general election? Sixty of the representatives of the people were in favour of the petition; four, and only four, refused to sign it; twelve were prevented from attending to sign it by the bad state of the roads; in short, out of the eighty-eight, only nine were opposed to the resolution. The population represented by the petition amounted to 373,000, while those who were adverse to it numbered only 32,000. Were the people of Canada satisfied or not; had they good Government or had they not? He would answer, that neither had they good Government, nor were they satisfied. They asked to be placed in the situation which the Constitution of 1791 promised that they should be placed in; they wanted to be allowed to enjoy rights which the charter gave them. They considered that they were deprived of their rights; that they were misgoverned; that their property was taken from them improperly; that Judges were placed on the Bench who ought not to be there. What would this House think if, out of every four Bills it passed, three were rejected by the House of Lords? and those Bills of the greatest importance—relating to such matters as public education, the finances of the country, the state of the Government and even the independence of the House itself. It could be proved by documents in his possession that the Legislative Council contained in it placemen—men fattening on the spoils of the country, men who disregarded the large mass of the population, who were deaf to their cries for redress, and who rejected with disdain their demand for improvement. By a list published in 1833, it appeared that out of 169 Bills passed unanimously by the House of Assembly, from 1822 to

1832, sent up to the Legislative Council, 122 were rejected by the Council without any reasons being assigned. And what was the nature of these Bills? They were to prevent Judges from holding situations that were inconsistent with the judicial office; there were acts also for the promotion of education, and they were all refused; others were for preventing men sitting in the House of Commons from holding offices under the Crown, and being in fact pensioners of the Crown. The people imagined that by this Constitution they were to be protected from the undue influence of the Crown in their House of Assembly as we were in ours; but the Government constantly violated that law. A Bill was passed every year by the House of Assembly declaratory of what ought to be the Acts of the Government, and those Bills were as regularly rejected. In 1829, out of twenty-four Acts sixteen were rejected; in 1831, out of fourteen Acts only three were approved. The truth was, the Legislative Council were ruled by a petty faction, and that faction had the ear of, and were supported by, the persons in office in this country. The Canadians were in a situation similar to that of the people of England before the passing of the Reform Bill. The revenues of the country were appropriated by men not named by the Crown, but appointed by others who had the ear of the Crown, and who, taking advantage of their situation, sent home inaccurate reports. The people of the colony had come repeatedly before the House without obtaining redress. A Committee had been appointed, which reported that the allegations as to grievances had been substantiated, but nothing was done for their removal. The right hon. Gentleman, who was the late Secretary for the Colonies, said he regretted that the recommendations of the Committee were not carried into effect, and that the grievances were allowed to continue in existence, increasing the irritation and rancour that prevailed. Had the recommendations of the Committee been carried into effect in any one instance? They had not. What, then, must be the feelings of the people? The question, he contended, had not been fairly stated. Hon. Members, instead of debating the question, had indulged in a course of crimination and recrimination. He admitted it was desirable that peace should be maintained in our Colonies, and that they should entertain a desire for the connection with England, founded on a conviction that their interests would be secured and promoted; but when abuses existed, as in Canada, was his hon. and learned Friend to be blamed for stating candidly what the state of the country was? The proper question was this; was the complaint made of grievances well-founded or not? The late Secretary for the Colonies had told them that he had not time to redress their grievances; thus they existed at the present moment. The hon. Gentleman then referred to the Canada Company for the disposal of land. He did not say, that it did harm, and ought to be abolished; on the contrary, it afforded the means of improving the state of the country, by inducing people with capital to settle there. But what was complained of was, that the money paid for the land to re-sell, was neither under the cognizance of the English House of Commons, nor of the Commons of Canada. This was what the people raised their voice against, declaring that they would not allow anybody to apply those funds to the bribery of the Members of their House of Assembly to maintain a bad Government. The right hon. Baronet (the Chancellor of the Exchequer) had alluded to some new arrangements; but he could tell him that if he supposed anything effectual could be done without a new principle being adopted, he would find himself exceedingly mistaken. The legislative body never could be made to work well. That was the great source of complaint. It was with regret, therefore, that he heard the right hon. Gentleman declare that no new principle would be adopted. The Vice-President of the Board of Trade had declared that it was impossible that the people could remain quiet, or be satisfied with such a system. The hon. Member for Worcester, in making allusion to him (Mr. Hume), had remarked on his language, and the effect it had on the State of Affairs in Upper Canada. A petition was on its way here from that colony, and when it arrived, he should be ready to go into the question with the hon. Gentleman; but he objected to these allusions as unfair—he objected to this nibbling at the state of Upper Canada, when the affairs alone of Lower Canada were before the House. The language of his hon. Friend had been objected to, as calculated to excite the people to violence; but what his hon. Friend had told the people was, that they were to depend on the British House of Commons—that justice would be done them; in fact, he gave them every species of advice except recommending them to appeal to arms. Everything depended on the manner in which quotations were made. The letter of his hon. Friend (and he would add, the letter also written by himself, and to which allusion had been made) ought to have been read. Was it any wonder that there existed dissatisfaction when the one-tenth being persons of English descent received ten times the honour and emolument of the other portion.

Mr. *Baring* in rising, begged to observe that no course that could possibly be adopted was so likely to injure the cause of the Colonist, and none that he should so sincerely deprecate, as untimely discussion and violent declamation. He had been acquainted with many of the best informed men in the Colonies for many years, and they were unanimously of opinion that with all its defects the present Constitution had been of the greatest possible benefit. He was told that only an ideal frontier separated the Colonies from the United States. He had himself been there, and looked across that frontier, and from inquiries that he had made, he did not think the contiguity so dangerous as Gentlemen on the opposite side were inclined to insinuate, for he found that from 10,000 to 20,000 settlers had gone from the one place to the other, and now acted as loyal subjects to the King. When he saw, too, that people went in large numbers to settle in Upper Canada—not in Lower Canada among the French, he felt inclined to attribute the dissent expressed to the Constitution of Government, to the excitement maintained and the differences fomented by the enemies of order both in England and in the Colonies. Add to this the disagreement between two nations, both of a national and religious nature, and the House need no longer entertain any surprise, that neither the present Government nor its predecessor had been able to tranquillise the Colony. When hon. Gentlemen invoked the observance of the Constitution of Lower Canada, they should first show how it had been violated. Nine-tenths of the complaints against Government were for violating the Constitution. That Constitution might be bad, but it had not been violated. The distribution of land which had been so much talked of, was no violation of the Constitution, but was in accordance to law. Gentlemen were aware that in all the Colonies of Great Britain the sound and substantial blessings of freedom were enjoyed; but whether in those countries or in this, if there were constant irritating attempts to provoke discord, materials for mischief were to be found every where, and it was easy for those so disposed to keep up the excitement for the purpose of making complaints. Constant discussion on these subjects tended only to exasperate the people. He should wish that a watchful eye might be kept on the proceedings of the Colonists, but that by the forbearance of the Government the angry state of parties might be conciliated and a state of peace preserved.

Mr. *Labouchere* contended, that when the Constitution was granted in the time of Pitt, there was an understanding that it was not final, but that it was to be open to such improvement as might, from time to time, appear desirable. He hoped it would not go forth to the Colony, that the Government would resist any alteration in the Constitution. He would not give any opinion as to the alterations necessary to be made in the Constitution of Canada; but he trusted it would not go forth to the public, that the Government of this country was disposed to resist the adoption of all necessary ameliorations. The hon. Member concluded by expressing a wish to be satisfied upon two points; first, whether the complaints of the people of the Canadas would be referred to the Legislature or the Governor; and, secondly, whether the person who was to be deputed from this country was to be created Governor of the Colony,

Mr. Secretary *Goulburn* replied that the individual to be deputed from the Government of this country was to be only a Commissioner. Not having been in the House when the right hon. Baronet, the Chancellor of the Exchequer, explained his intentions he could not satisfy the hon. Member on the other point.

Mr. *Sheil* said, that the right hon. Member for Cambridge had stated certain facts which were corroborative of the circumstances of a similar character adduced by the hon. Member for Bath. It appeared on the showing of all concerned, that a serious and important difference had arisen between the Executive and the Legislative powers in the Canadas—between the House of Assembly and the Governor General. It had been stated that Lord Aylmer had advanced 7,000*l.* out of his own pocket to carry on the affairs of the Government; but by the Report of the Committee it appeared on the evidence of a Mr. M'Kinnon that he had advanced no such sum, 500*l.* being the maximum of what he was out of pocket on that occasion. Therefore that allegation fell to the ground. The late right hon. Secretary for the Colonies had also stated that a person named Gale had been created a Judge, notwithstanding the remonstrances of the local Legislature, and the censure of the Government in this country. And yet the individual who made that obnoxious appointment, Lord Aylmer, was to be continued in the office of Governor. He did not desire by anything he might say or do to create ill-feeling between the Colony and the mother-country, or widen the breach which he regretted to say existed: but, he could not help saying, that he believed the people of the Canadas must have been much aggrieved, as not a single statement made by the hon. Member for Bath had been contradicted. The right hon. Baronet had stated that he would do justice to the complaints of the Colonists; and he was disposed to give the right hon. Baronet credit for the intention. But still he thought the right hon. Gentleman might have been more explicit in his statements, and told the House how far he intended to go in the subject of redress. He deprecated the indulgence of anything like party feeling in the discussion on the question before the House; because he thought the objects which should be held in view were the interests and integrity of the empire and the security of the Colonies. But he could not conceal from himself that the people of the Canadas had much to complain of, and heavy grievances to charge against the Government. It was not denied, that most, if not all, the official appointments in the Colonies were made from persons sent from this country at the instance of the local Executive: neither was it denied that the Executive had refused to sanction several important salutary measures passed by the local Legislature. When these facts were not contested no one could pretend to say that something was not required to be done in the way of change or amendment. His hon. Friend the Member for Bath had said that an appeal to arms might be made by the Canadians if their wrongs were suffered to remain unredressed; and he was attacked by the right hon. Baronet in no measured terms for saying it. But a prophecy was one thing, and the faculty of accomplishing it was another; and though his hon. Friend might have honestly predicted such a result he was sure he would be the last to sanction it. Another fertile source of heart-burning in Canada was afforded by religious causes. The Colony was Catholic; Catholicism was the recognised religion of the country by the treaties under which it had been surrendered; yet the local Government had seized on the estates of that Church, and applied them, not to the support of that Church, but to the maintenance of the Established Church of this kingdom.

Mr. *Spring Rice* denied the accuracy of the hon. and learned Member's statement.

Mr. *Sheil* then proceeded to read from the Report of the Committee a copy of a despatch, dated Colonial Office, 1830, and addressed to the Bishop of Quebec in support of his statement.

The *Chancellor of the Exchequer* objected to the course which the hon. and learned Member was pursuing as unparliamentary and unprecedented. The hon. Member was reading to the House quotations from the evidence taken before a Committee of the House which had never been laid on the Table, and which was, consequently, not within the cognizance of the House.

Mr. *Sheil* had found the Report on the Table of the House, and had only made the same use of it as his hon. Friend the Member for Bath had done, without incurring the reprehension of the right hon. Baronet. The right hon. Baronet relied on the Report of the Committee, yet he would not permit the evidence on which it was founded to be used. But he would ask, did that Report exculpate the Governor of the Canadas or contradict the statements made by the hon. Member for Bath? He would maintain it did not. The hon. and learned Member concluded by urging on the consideration of the House the necessity of entering into the subject divested of all party spirit; and redressing the wrongs of the Colonists with reference only to their nature and amount.

The *Chancellor of the Exchequer* said, that he had expressly desired to avoid entering into the subject, because the effects of a preliminary discussion might have the effect of prejudicing the question at present pending. He thought the Canadian House of Assembly was a fitter place to entertain complaints of the nature of those contained in the petitions in the first instance than the British House of Commons, to which an ultimate appeal only ought to be addressed.

Mr. *Patrick M. Stewart* said, that he was connected with the British Canadian interest, and was therefore competent to discuss the subject of the petition. He did not think that the grievances were so great as that document stated, and he believed that some of them did not exist. From his knowledge of these Colonies, he was safe in saying, that all the petitions from thence would not be on one side; and he was satisfied that in the course of a few days the House might reckon upon several counter petitions from them. He fully agreed with the right hon. Baronet, and was of opinion, that if his suggestion were carried into effect the Colonies would be secured from anarchy and Republicanism, while the people would have the full enjoyment of all their national rights.

Mr. *Roebuck* said, in reference to the language used by him, and which had been complained of by the right hon. the Chancellor of the Exchequer, that on this subject he could not avoid expressing, in plain honest words, his sense of the injury done to the Colony. He was peculiarly connected with Canada, and the people there had done him the honour of corresponding much with him on the subject of their grievances. He was acquainted with large numbers of the inhabitants of those countries, and was he, therefore, so representing their feelings, and representing them as a Member of that House—was he, in well-rounded phrase, to represent them as loyal, contented, and happy, when he well knew that was not the state of their mind? In Mr. Burke's speech on the subject of the American Colonies in 1774 he said, "You must not state such things of the Colonies, for that they were about to be driven to rebellion." That House was at that period petitioned over and over again without any attention being paid, or remedy afforded. He believed the present state of the Canadas was similar to that of our American Colonies in 1774. The right hon. Baronet, the Chancellor of the Exchequer, had deprecated that any words uttered by him should have the effect of exciting feelings of resistance and rebellion. He did not wish it; he hoped only that his words might be a warning to the Government, and that his best influence should be exerted to produce conciliation and quiet. He hoped that his view of the present state of the excited feelings of the Canadas was not a correct one, and that no disturbance would take place. In allusion to what had fallen from the right hon. Gentleman near him (Mr. Spring Rice), that he was likely to throw impediments in the way of a settlement he would say that he would do nothing to thwart the intention of those who desired conciliation and peace. He had been charged with acquiescing in the Report of the Committee; it did not follow that because he did not divide on it that he approved of it, any more than that the right hon. Gentleman (Mr. Spring Rice) might be considered as approving of a letter which he (Mr. Roebuck) wrote and showed to the right hon. Gentleman. It was thought necessary to say something to exculpate a noble Lord. It was stated that he (Mr. Roebuck) wished to get over the Committee, because he had not been enabled to make out his case against the conduct of the Government towards the Canadas. He would assure the right hon. Baronet, the Chancellor of the Exchequer, that his best influence should be exercised to produce beneficial results. He would wait the decision of the measures to be proposed; if they were good and effective, they should have his approbation; if not, his best endeavours would be again employed to procure justice for those Colonies. And he would then abstain from any expressions that would irritate or give offence.

The *Chancellor of the Exchequer* said, that if the first speech of the hon. Gentleman had partaken of even a portion of the spirit of forbearance which pervaded the second, no observations should have fallen from him which contained a syllable of reproach or invective. He congratulated the hon. Member on the altered tone of his second address, which he said was conceived and expressed in a far wiser, better, and more temperate spirit than the first. He would add, that every possible degree of caution had been used in the selection of the individual who was to be sent to Canada, as the representative of the British Government; and every necessary power had been conferred on him to settle the questions at issue between the local Executive and the Legislature. He had also to state, that a notification of the appointment, and an intimation of the probable time of his arrival, had been sent to the Canadas upwards of six weeks since.

The Petition to lie on the Table.

HAND-LOOM WEAVERS.] Mr. *John Maxwell* said, that in moving for the re-appointment of the Committee of Inquiry into the distresses of the Hand-loom Weavers he would first lay before the House a Petition to that effect which had been signed by 12,000 of that body of operatives employed in Perth. As he believed there would not be any opposition offered to his present motion, he would not trouble the House at any length. He would first move "That the report upon the subject made by the Committee of last Session be read at the Table of the House;" and the Report having been read, the hon. Member moved, that a Committee be appointed to inquire into the condition of the hand-loom weavers, and to report upon the same to the House. It was scarcely necessary for him to mention, that the distress of this large and useful class of persons had been ascertained, by an inquiry last year, to be very great and extensive. He trusted, that the House would not now reject the petition because it came from persons who happened not to be of any class sitting in that House, or who had not yet received their elective franchise. He rather hoped that the House on those grounds would feel the greater sympathy with them, and he likewise trusted, that those who advocated the distresses of the agricultural poor, and of other classes of labourers, would sympathise with the hand-loom weavers, who were as badly off as any body of distressed persons in the kingdom.

Mr. *Baring* thought, that the hon. Member could not for a moment suppose that there was any disposition in any part of the House to refuse the most ample attention to so important a subject. He had stated to the hon. Member what he had stated to the House, that if the case of distress had come to him as one single question he should have decided it as the right hon. Gentleman who had preceded him in his office had decided it, and he should have said, that it was not a right subject to go before a new Committee. The last Committee that had conducted the investigation had contained the names of many Gentlemen of very considerable reputation, but when he reflected upon the fact, that the inquiry concerned the condition of not less than 80,000 persons employed in this species of manufacture, he could not but concur in recommending to the House, that it should again hear the case. There might, by possibility, be some means devised for relief, and, at all events, the parties might think themselves aggrieved if an inquiry were denied them. He was aware, however, that much would be said against the impropriety of exciting expectations which the House would be unable to gratify. For his part, he did not think that anything beneficial could result from the present inquiry. He had been nominated one of the Committee of last year, but he had not attended, from entertaining an opinion, that little or nothing could be done for the sufferers. His absence was not to be traced to any disinclination to afford every possible relief, or to go into any scheme that held out any prospect of succour. He should not now oppose the appointment of the Committee.

Mr. *Thomas Attwood:* The right hon. Gentleman who had just sat down had said, that it was not possible to improve the condition of the 80,000 persons who had petitioned the House.

Mr. *Baring* had said nothing of the sort. All he had said, was, that he did not thing that any relief could be afforded by any of the means that had been suggested to the Committee, or by any legislative interference.

Mr. *Attwood* continued. He begged the right hon. Gentleman's pardon. The right hon. Gentleman had said that the measures that had been recommended to the Committee were not calculated to give relief. He agreed in this particular with the right hon. Gentleman; but he denied that it thence followed, that Parliament could adopt no measures whatever calculated to attain the object in view. All he could say was, that if 80,000 persons were in great distress, and Parliament could afford them no relief, he did not know what the House sat there for. He would maintain that the wrongs of these people could be redressed, not by the measures which had been recommended, but by the peculiar means which he had brought forward. The House could give relief to all the labourers of the kingdom complaining of distress, and he trusted, that the House would take the subject of the currency into its consideration, with a view to redress all the wrongs of all the labourers of England—he meant not only the agricultural labourers, but of labourers of every description.

Mr. *Hume* said, that no man in that House who had attended to the evidence on the Table, could avoid desiring to afford the sufferers every possible means of relief. He had stated, when the last Committee was formed, that every measure advanced before that Committee would fail in its object, but he had nevertheless voted for the Committee, in order that the parties suffering might have an opportunity of stating what their sufferings were. That Committee had gone into a full statement of the distress, and he now wished to ask his hon. Friend who had made the Motion, whether it was his intention to go into any further evidence?

Mr. *Hutt* said, that the last Committee had followed up the evidence with ability, and it was because he was interested in the sufferings of these labourers, that he was anxious not to let it go forth amongst them that relief could spring from the present proceedings. Legislation on this subject would disgrace the reign of Henry the 8th, and much more disgraceful was it to the present age, which had acquired such additional lights upon political science. He was opposed to the proposition before the House, because he was convinced that it would afford no help to the suffering classes.

Lord *Francis Egerton* rose to return his thanks to his right hon. Friend the President of the Board of Trade, for acceding to the Motion before the House. He was fully aware of the inconvenience, nay of the dangerous consequences, of holding out hopes of relief to unfortunate persons, which Parliament might find it impossible to realize. In supporting the Motion for the appointment of a Committee, he felt that it was, in his situation, a primary and imperative duty to avoid, for any purposes of partial or temporary popularity—for a very temporary popularity it would be—holding out to distressed classes of labourers, any hopes of relief which might not ultimately be fulfilled. Anxious as he was, to meet the question of the distresses of the very extensive classes which were suffering the privations that had been proved; anxious, as he was, to convince them that Parliament had given the fullest attention to the subject; he was still bound to confess, that he could not entertain a hope that the plans which had been advocated, would be found capable of producing that substantial and practical relief, which all men must join in wishing that Parliament could afford. The extent of the distress, and the exemplary patience with which it had been borne, in the county which he had the honour to represent, he could bear testimony to; but he was bound to say, that the distress arose from causes, which it would be very difficult for legislation practically to remove. He was not going to detain the House by entering into any statements relative to the distress, as there would be little or no opposition to the Motion before the House, but he had thought it necessary in justification to the distressed individuals themselves, to guard them against expecting relief from the inquiries into which the House was about to enter. He was convinced, that the doctrine of the minimum rate of wages could not be brought into operation, at least with any practical advantage to the distressed labourers. No man could be more deeply concerned than he was, in the subject, not only by his feelings, but by what were called worldly interests, to convince the poor that Parliament would not turn a deaf ear to their complaints, or neglect any plan of relief, that could be proposed with a fair prospect of success.

The Committee was appointed.

NEWSPAPER PRINTERS.] The *Solicitor-General* said, that in moving for leave to bring in a Bill of which he had given notice on a previous night, he must claim the indulgence of the House while he stated, as briefly as was possible, the circumstances under which he had felt himself called upon to act. He was quite aware that Bills of indemnity for any violation of the law, or indeed any measure which had a retrospective object, ought not, and would not, be dealt lightly with by the Legislature; but in this instance he believed he could satisfy the House, that the violations of the law had been so inadvertent, the conduct of the informer so vexatious, and the actions brought by him so exclusively intended for the purpose of extorting money, that he hoped to obtain the sanction of the House to the measure he proposed even as a Bill of indemnity. The House would be aware from the conversation which had taken place a few nights ago, and from the contents of a petition presented by the hon. Member for Somersetshire, of some of the circumstances of the case, but the House had yet to learn that at the present moment there were pending no less than 200 actions, which had been brought to recover penalties of 100*l.* for each offence—that was upon each newspaper published inadvertantly without some of the requisites provided by the statute upon which those actions were based. The penalties to which the informer would be entitled to recover against a daily newspaper amounted to 30,000*l.*; and as against a weekly paper of course not so much, but particulars of demand had been furnished to a weekly paper, amounting in the whole to no less a sum than 10,500*l.* The actions were ostensibly brought by a person of the name of Smith, who, as far as he (the Solicitor-General) had received information, turned out to be a boy of fifteen or sixteen years of age, a writing clerk, in the employment of an attorney in not very reputable practice. In truth, however, the actions were brought by another clerk, who was at present suffering an imprisonment under a sentence pronounced by the Court of King's Bench, for libel. It was necessary that he should shortly state the provisions of the Act of Parliament which was supposed to have been violated, in order to point out the remedies he proposed for the existing evil, for he did not mean the present measure to be one of indemnity alone, but, also, to embrace provisions which would prevent a recurrence of transactions similar to those which had been described. The Act under which these actions had been commenced, was the 38th George 3rd., chap. 78, and was passed in the year 1798, for the purpose of expediting and simplifying proceedings against newspaper proprietors for libellous publications. It was provided by that statute, that no person should publish a newspaper until an affidavit had been made, delivered in, and filed at the Stamp-office, or if in the country, with the Sub-commissioner of stamps, setting forth the names, the additions, or descriptions, and the places of abode of all persons intended to be the printers and publishers of such newspaper, and, also, stating in the same manner the proprietors as well as a description of the building in which it was intended to be published, together with the title of the newspaper. In default of a compliance with this provision the penalty was 100*l.* Another provision of the same Act was, that no paper should be published without setting forth in some part of it the names, the additions, and places of abode of the printers and publishers; for a violation of it another penalty of 100*l.* was provided. The intention of these two distinct provisions was to make legal proceedings against newspapers more easy, and in order that no further evidence of the fact of the publication of a libel should be required than the production from the Stamp-office of the affidavit, or a certified copy of it, and the production afterwards of the particular newspaper itself, for the purpose of proving that the title, the names, description of the printers and publishers, and place of printing, tallied with the affidavit. So far as the object of this Act went, the omission of the place of residence of the printer and publisher was wholly immaterial, and these actions which had now been brought were founded upon a non-compliance with a wholly immaterial form. The informer in the present cases had discovered, that of late years a practice had grown up amongst printers and publishers, of, in some instances, omitting the addition of their place of residence, but complying with the other requisites required by the existing law, and this omission formed the ground of the actions for penalties in the generality of the suits pending. But in order to show the vexatious spirit with which these proceedings were instituted, he (the Solicitor-General) would mention one case. A person resident in Cornwall, the proprietor of a newspaper, had died, and his widow, after regularly altering the affidavit at the Stamp-office, continued its publication in her own name, but in printing the newspapers, the addition to her name of "widow" had been inadvertently omitted. For this omission an action had been brought, and the particulars of demand in that action had been delivered, claiming penalties to the amount of 10,500*l.*, being 100*l.* upon each newspaper so published. He thought this instance alone fully justified the interference of the Legislature?

But what had been the whole course of the informer's proceeding? The first step he had taken was, to send round to the editors, publishers, or proprietors of newspapers, a document purporting to be an elaborate opinion of an eminent counsel—nay, indeed bearing the initials of his noble and learned Friend, the present Lord Chief Baron, and apparently dated at the Chambers which that distinguished personage had occupied, to the effect that the parties had no defence to the actions, and therefore advising them to compromise them on the best terms they could. This was not all, for the informer had entered into such a wholesale trade, as to issue printed circulars (one of which he held in his hand), containing a form for returns of the numbers of printers and persons engaged in that branch of trade, and which he had addressed to the clergyman of the parish, or some other influential person in the town, and accompanied with a note to the effect that the object of the return was to lay it before Parliament, and the immediate attention of the party to whom it was addressed was particularly requested. The circular concluded by desiring the return, when filled up, to be forwarded to the informer under cover to some Member of Parliament, who was named, and who in general was the Representative of the town from which the information was sought. In the letter he was reading, the return was directed to be sent under cover to him the Solicitor-General. He was satisfied the House would on this statement agree with him, that some interference on its part was necessary, and the question then remained, in what way that interference should be made? It had been suggested to him by the hon. Member for Sussex, that a Bill of indemnity should be introduced to release the parties from the actions which had been brought against them, and for such a course he had found precedents in a Bill to indemnify printers from the penalties they had inadvertantly incurred, under the 29th George 3rd., and which passed both Houses in 1809, and in a similar Bill which passed some years after. But it struck him that the passing of a mere Bill of indemnity would only be meeting the matter half way, and that the Act which had so improperly been put in force, ought not to be left in the hands of a common informer to deal with, lest the same transactions should occur again. From inquiries which had been made at the Stamp-office, it appeared, that until these actions were commenced by the informer Smith, the officers there had supposed that no actions under this statute could be brought by an informer, but that, on the contrary, the right to institute proceedings for these penalties was only vested in the Law-Officers of the Crown. This mistake arose from the fact, that previous to the year 1804, all penalties for the violation of the stamp-laws might be recovered by actions brought by common informers, but in that year an Act was passed, providing, that in future such penalties must be sued for by informations at the instance of the Law Officers of the Crown, and such he apprehended must have been the intention of the Legislature when it passed that law, because in a subsequent Act, the 60th George 3rd., for regulating the publication of pamphlets, &c., a similar provision was made. This intention he proposed to carry into effect by the present measure, and the reason why this was necessary was, that in a case which had been argued in the courts of law, touching upon these statutes, it had been decided that as these Acts were not acts of revenue, a common informer might sue. He therefore proposed to introduce into the present Bill a provision, that in future no common informer should bring actions for violations of the statute in question, and next, that the editors and proprietors of newspapers against whom actions had been already brought, should be relieved from their liabilities; but he did not think that he should be justified in bringing forward a Bill, the effect of which would be to deprive the informer of his costs when it was remembered, that the informer had brought his actions and incurred expenses on the faith of the existing law, and though the House, perhaps, would not be inclined to show much indulgence to him, yet, probably, it would not think it right that those expenses should fall on him, the informer. He therefore proposed that in all the actions which had been commenced, the defendants should be at liberty, on taking out a summons before a Judge, to stay proceedings upon payment of costs. Anxious that the House should at once agree to the principle of the Bill, and in order to its being passed as speedily as possibly, he had conveyed, he hoped clearly, the full scope of its intended provisions, and he should conclude by moving for leave to bring in a Bill to amend the provisions of the Statute 38th George 3rd, c. 78, and to indemnify persons who had omitted to comply with certain of the regulations contained in that Act respecting the printing and publication of newspapers.

Sir *John Campbell* expressed his entire concurrence in the measure which had been proposed by his hon. and learned Friend, the Solicitor-General. The language of the act of 1798, was extremely ambiguous, and when he had read the section of the clause in question, it appeared to him very doubtful whether, or not, in these cases, it had been violated. The proceedings of the informer, in the present instance, were most pettifogging, and, as he thought, most scandalous. He could claim no favour, and if he were secured the costs he had incurred, he would get as much as he could require, or as he deserved. He agreed with his hon. and learned Friend, in thinking, that for the future, the recovery of these penalties should be left to the Attorney-General, and the Law Officers of the Crown. In all respects, he thought the Bill most unexceptionable, and he trusted that it would meet with no opposition.

Mr. *Curteis* said, that the thanks, not only of the press, but of the public generally, were justly due to the hon. and learned Solicitor-General, for the prompt manner in which he had attended to the request made to him the other night. The learned Solicitor-General had alluded to a case of great hardship, in Cornwall, but, he knew another equally harsh case. He held in his hand a newspaper, the proprietor of which was liable to penalties of 10,500*l.* for inserting merely the initials of his Christian names, T. R., instead of the names Thomas Richard, at length. The mode, in which the Solicitor-General had met the evil, was most proper, and he hoped it would be carried into effect. The only difficulty he (Mr. Curteis) felt, arose from the case at Hull, which his hon. Friend, the Member for Hull, whom he did not now see in his place, had desired him to mention. He however hoped, that the informer would not be allowed, by getting his costs, to put money into his pocket, as if so, he would still reap a great benefit from the course which he had pursued.

Mr. *Baines* felt under a great obligation to the learned Solicitor-General, for the promptitude he had shown in this business. He begged to suggest to the hon. and learned Gentleman, the propriety of some provision in this Bill, to render unnecessary the publication of the printer's residence, as the place of business was amply sufficient to answer every essential purpose. It would simplify the Bill, and prevent the possibility of oppressive conduct on the part of a Government towards a printer, if, for any supposed wrong, any Government should feel so disposed.

The *Attorney-General* said, it would be extremely inconvenient to insert into the present Bill any such clause as that which the hon. Member suggested. The object of the Bill was, simply to set aside all the pending proceedings, and to prevent their recurrence in future; and if it were to be accompanied by any alteration of the existing laws, or, indeed, embraced any but the single object, the Bill might meet with opposition and be unsuccessful elsewhere, or it might be so long delayed, as that the mischiefs it was designed to prevent might be effected. He had felt, in conjunction with his hon. and learned Friend, the Solicitor-General (for he begged to share with him the responsibility of this measure) that it was their duty, as the Law Officers of the Crown, themselves to bring forward and take the responsibility of an *ex post facto* law. There was no part of the duties of the office which he had the honour to fill, that he desired so little, as the responsibility of having to bring forward prosecutions for violations of the law, selecting some for prosecution, and passing by others; but still he was satisfied of the propriety of taking this power out of the hands of the common informer, and placing it in those of the Law Officers of the Crown. In confining the provisions of this Bill to the object it sought to attain, he did not desire to be considered, as giving an opinion, that the present law, in other respects, was not capable of alterations beneficial to the public, and to printers in particular; but he did think it would be rash, at present, to legislate beyond the existing necessity. He should be ready to enter upon the consideration of those alterations at a future time, but, at present, he entreated the House to confine itself to the relief of these parties from their present difficulties, and to the prevention of a recurrence of similar transactions. To the hon. Member for Sussex (Mr. Curteis) he begged to reply, that the present Bill would have the effect of preventing the informer from reaping any benefit from his nefarious practices. With these explanations, he trusted the Bill would be passed without delay.

Mr. *Bonham Carter* said, that as the actions which the common informer had brought against the proprietors of newspapers were numerous, so were the errors various, which had given rise to those actions. He hoped that the hon. and learned Solicitor-General would not limit his indemnity clause to that class of errors which he had stated, but would word it in such a manner as to include every case. It would expedite the public business, by saving hon. Gentlemen the trouble of adding to the clause, particular words to meet particular cases.

Mr. *Aaron Chapman* said, that the Solicitor-General deserved the thanks of the community, for the prompt attention with which he had applied a remedy to this species of grievance. There were three individuals, in the borough which he represented, against whom actions had been brought to recover penalties amounting to 5,000*l.* or 6,000*l.* They would be relieved from great anxiety, by the introduction of this Bill. He was delighted to hear the Attorney-General declare that care should be taken, that the informers should not derive any benefit from these nefarious transactions.

Captain *Pechell* also tendered his thanks to the Solicitor-General on behalf of his constituents. The town which he had the honour of representing, had been peculiarly marked out by this informer. This Bill was a boon which would give great satisfaction to that town. It would almost give the inhabitants as much satisfaction, as the repeal of the Malt-tax or the repeal of the Window-duties.

The *Solicitor-General* said, that his hon. and learned Friend had asked him, whether his clause of indemnity would extend to all cases. It would do so by stopping all actions of this nature. The Bill would prevent the common informer from bringing an action at all. He intended it to be as complete as possible.

Leave given. The Bill was brought in and read a first time.

CAPE OF GOOD HOPE.—THE CAFFRES.] Mr. *Bagshaw* reminded the House of the afflicting news which had been received within the last ten days, from the eastern part of the Colony of the Cape of Good Hope. That news had filled the friends of the settlers in that Colony, and also of the missionaries, who had gone thither to convert the natives, with the utmost alarm and dismay. It appeared that, in the month of December last, a simultaneous attack had been made on that Colony, by the Caffre nation—an attack differing from any previous attack which had been made on it, both in the mode, and in the season of making it, and also in its disastrous effects. The Colony had been devastated from Bathurst to Graham's-town, a great many lives had been lost, and a vast amount of property had been destroyed. The hon. Member then proceeded to read extracts from private letters announcing the barbarities of the Caffres. One of those extracts stated—"Nothing can equal the barbarity with which the Colonists have been treated. The wounds of those who have been murdered, can scarcely be counted." Another said—"Mr. Phillips's house has been burned, and his flocks carried off and destroyed." Now, Mr. Phillips was the first practical agriculturist in the Colony, and was possessed of the best and largest flock of merino sheep within it. The Colony expected to reap great benefit from that breed of sheep, and yet what had now become of it? The letter said, "Great numbers of them have been destroyed." A flock of merino sheep, 4,000 in number, belonging to Mr. Cumming, had been carried off. This gentleman, who possessed a large property, in flocks and herds, in the evening, was a ruined man the next morning. The alarm was so great, that Graham's-town was fortified, and one gentleman, speaking of the state of affairs there, ended his letter thus:—"Property is now out of the question; life is the only thing which excites anxiety, or for the preservation of which it is thought necessary to incur any risk." Another letter says, that "the traders in the Caffre country are all destroyed;" and he was afraid that the same fate had befallen those good and excellent men the missionaries. He admitted, that the Governor of the Cape of Good Hope had been most anxious to send succours to the relief of these distressed Colonists; but, it so happened that the ships which had the troops on board, intended for their relief, were detained, by the violence of the south-west wind, in Table Bay, at the date of the last information. One could not help shuddering at the consequences, especially as the Caffre force, invading the Colony, was estimated at not less than 10,000 men. Having stated thus much, he would now proceed to state a few words with respect to the cause of the disaster, and to the best mode of applying a remedy. It would be in the recollection of the House, that in the year 1819, 50,000*l.* was granted by Parliament to colonize the south-eastern part of the continent of Africa; 5,000 persons went out, in consequence, to form a Colony. They suffered, at first, the most extraordinary hardships; but, in a short time, owing to the energy of the British character, they triumphed over all the obstacles to their success. In a few years afterwards, they had grown up to be an affluent Colony, and were going on most prosperously, up to the occurrence of the late disastrous events. When they first landed at the Cape of Good Hope, the hon. and gallant Member for Berwick was governor of the Colony. From all that he had heard whilst he (Mr. Bagshaw) resided in the Colony, no man could have bestowed more attention on the Colonists, upon their first arrival, than Sir Rufane Donkin had done. His name was revered by the Colonists, and would continue to be revered, so long as there were any residents to recollect him. During the two years which Sir Rufane Donkin was governor of the Colony, there was no irruption of the Caffres. On the frontier, however, a Caffre murdered a boy and stole the cattle intrusted to his charge. Complaint of this outrage was made to Gourka, the Caffre Chief. The offender was seized, tried, convicted, and strangled, by order of his tribe. Things went on well in this way for two years more. At the end of that time there was a change in the conduct of the Colonists. The boors became tired of the system of conciliation, and adopted another. By the law of the Colony a boor, when his cattle is stolen, is not allowed to follow them himself into the enemy's quarter. He pursues, however, this course,—as soon as he is informed of his loss, he goes to the nearest *commando*, or military post, and makes his loss known. Then with an officer and a detachment of the Colonial Rifle Corps he follows the track of the cattle. The Hottentot, following it like a bloodhound, by the scent, until the party reaches the first cra-al in Caffre land. When the cattle reach a cra-al, it is impossible to follow their track any further. The officer then demands from this cra-al twice the number of cattle stolen, and if the owner refuses to give them up quietly, they are taken from him by force. This system has been going on for a long time, and necessarily leads to the punishment of the innocent, instead of the guilty. A Caffre robber steals cattle from the Colony, and the nearest Caffre proprietor, who, in all probability, is innocent and peaceable, immediately suffers for it. Was it to be wondered at that all forbearance was at last abandoned by the Caffres, and that they had taken the law into their hands. This result, which was naturally to be expected, had been predicted some months ago by the editor of one of the Colonial newspapers. The hon. Member then proceeded to express his concurrence in the proposition made by the Commissioners sent from England to inquire into the state of the Colony some years ago,—a proposition which recommended that a Lieutenant-Governor should be appointed to conduct the affairs of the eastern part of the Colony. The Colonists had at different times received great support from a mounted corps of Hottentot rifles. He appealed to the gallant Colonel near him, who had served with that respectable body of men, whether any troops of their class could behave better. What was the use of a British soldier when he could not find an enemy to fight with? The Caffre was on one hill in one moment and on another in the next; and as the House must have seen from the extracts which he had read to them, Colonel Somerset declared his inability to come up with them. The plain truth was, that nobody could put down this sort of strife but those who had been long accustomed to it. The causes which had led to this last irruption had been the want of a Lieutenant-Governor at Graham's-town to control the Colonists in the first instance and a want of a proper local force to back his authority with the Caffres in the second. He was not now speaking on his own information alone. He had had with him during the last day or two almost all persons that were connected with the traders to the Cape, and with those good and excellent men the missionaries, and it was their sentiments, rather than his own, that he was then speaking. Give the Colonists at Graham's-town a local Governor—give then 500 men more of the local corps, enlist the Caffre chiefs to protect the frontiers from invasion and disturbance, and all would yet be well, and everybody would be satisfied. They would then endeavour to remedy past grievances, and give no cause for future aggressions. The hon. Member concluded by moving that "an humble Address be presented to his Majesty, praying that he will be graciously pleased to give directions, that there be laid on the Table of the House a copy of any despatches that may have been received from the Cape of Good Hope relative to the late sanguinary irruption of the Caffres with the eastern part of that Colony."

Mr. *Fowell Buxton* concurred with the hon. Member who had just sat down, in all the expressions of horror which had been called from him by the late sanguinary proceedings in the neighbourhood of Graham's-town. He hoped, however, that our treatment of the natives in that Colony would undergo strict revision, for sure he was, that our treatment of them had been such as to make every honest man blush. He could mention several instances of atrocious robbery and cruelty which had been committed by the Colonists in Southern Africa, under the pretext of recovering stolen cattle from the Caffres; and knew that on one occasion the Boors had turned upon a number of unarmed Caffres, who were quietly watching their proceedings, and had shot seven of them without any provocation. He was certain that the Colony would never enjoy permanent prosperity, if substantial justice were not done between the natives and the Colonists. He thought that a Lieutenant-Governor and a civil Magistrate ought to be appointed to reside in that part of the Colony.

Sir *G. Clerk* presumed that the hon. Member had had some communication with his hon. Friend the Secretary for the Colonies on this subject. He was not aware that there was any objection to this Motion; but the facts were new to him, and he was not prepared to give an opinion upon them. He felt, however, great sympathy for those whose calamities the hon. Member had so forcibly depicted, and was quite certain that their unfortunate condition would command the immediate attention of the Government of this country.

Mr. *Bagshaw* said, that he had ascertained that evening that Government had received no dispatches on this subject.—The public, however, thought that despatches had been received, and that Government was unwilling to publish them. That notion had created an impression that things were much worse off in that Colony than they really were. His object would be answered if the attention of Government was called to the subject.

The hon. Member withdrew his Motion.

HOUSE OF LORDS,

Tuesday, March 10, 1835.

Minutes.] Bills. Read a first time:—Chester Criminals Execution Bill; Equity Commitments for Contempt (Ireland); Property of Infants and Lunatics (Ireland).

Petitions presented. By the Earl of Rosslyn, from Students at Edinburgh, for improving Medical Education; and by Lord Wharncliffe, from Glenspiel, for Extending Church Accommodation in Scotland.

National Education (Ireland).] The Earl of *Roden* said, that when he gave notice of his intention to bring under the consideration of that House the system of National Education now pursued in Ireland, he was anxious that their Lordships should be acquainted with the workings of that system. Therefore, it was that he wished certain documents to be laid upon their Lordships' Table, to which he understood there was no objection on the part of the Government of Ireland; so that when their Lordships came to the debate upon the subject, they might be acquainted with all the facts of the case. He was not going to enter upon the subject at that time. He was afraid that he had too often troubled their Lordships upon it; but he must mention as his excuse, that he viewed it as a question involving a great and important interest; and, therefore, he felt it was due to their Lordships—he felt that it was due to himself, who had loaded their Lordships' Table with petitions on this subject—to bring the question before the House the moment an opportunity for doing so occurred. The noble Earl moved for "various returns relative to the establishment of schools under the new system (Ireland)."

The Marquess of *Lansdowne* observed, that in consequence of the noble Earl abstaining from making any remarks on the subject, he should not enter into the discussion of it, but he could not avoid saying, that knowing what was ascribed to those who had recommended the present system of Education in Ireland, he was just as desirous as the noble Earl himself, that the whole effects of that measure should be thoroughly investigated. That system had been grossly misrepresented and misunderstood; and he should be fully prepared, at any time, to go into a discussion upon it. If there was any thing to regret in the way in which the noble Earl had now treated the matter, it was that there was such a number of documents moved for as must inevitably occasion some delay in bringing on the question. He hoped, that the noble Earl would take the earliest opportunity of bringing the subject before their Lordships; for he should be glad that the attention of the House and the country should be at once called to the very beneficial effects produced by the present system.

The Earl of *Roden* had hoped that the way in which he had introduced this Motion would have induced the noble Marquess to abstain from expressing any strong opinion in favour of the present system. His own opinion was quite different, but he thought it would be better to wait for a more convenient time, when the papers were on the Table of the House, and it could be seen which opinion was the correct one. But for the great inconvenience of going into the matter now, he could have proved that the measure of National Education in Ireland had not been successful.

The Motion was agreed to.

Agricultural Distress.] The Marquess of *Camden* presented a Petition from agriculturists of Northbourne, in the county of Kent, asking for some relief to their distresses.

Lord *Brougham* said, that in the course of a few days he should have to present to their Lordships some petitions of a similar nature. The petitioners were anxious for the Repeal of the Malt-tax, and they wished him to support the prayer of their petition. Now, he certainly entertained a sincere respect for the petitioners; but with every respect for their opinion, he differed from them in their views on this subject, and he should do all that lay in his power to prevent so ruinous and absurd a measure from being carried into effect. He did not know that any measure could be adopted less likely to benefit the farmer or the consumer, whatever its effect might be on the maltster and the brewer. The question was, whether between 4,000,000*l*. and 5,000,000*l*. a-year was to be deducted from the public revenue under the pretence of giving relief to the farmer. He must deprecate any such proceeding. He knew that all this revenue was wanted for the public service; and how could the public service be reduced so as to meet such a deficit: It then came to this—whether 5,000,000*l*. was to be raised upon malt, or to be raised upon income? Now, it certainly would take him a long time to consider before he consented to give up the Malt-tax for a Property-tax. Such an alteration would do much harm to the cider counties; and, in fact, light soils, where barley was grown, would be the only soils that could benefit by it, and that, too, in a very trifling degree.

Lord *Teynham* was sorry for the opinion thus expressed by the noble and learned Lord. The Malt-tax had put an end to the good system of men drinking beer brewed at home. There were now twenty beer-shops where there had been but one before. The agriculturists were highly taxed, while there where thirty millions of funded property untaxed. The loss of the five millions might be supplied by other taxes.

Russia and Austria.] Lord *Brougham* said, that seeing the noble Duke in his place, he wished to put to him a question on a matter well deserving of his most serious consideration; he meant the present state of our foreign relations. Two most important events had recently occurred:—the first was the decease of the Emperor of Austria; the second, the removal of a fleet of six or eight sail of the line from Malta to the Dardanelles. From these two events, but more especially from the latter, a presumption had arisen that the state of affairs had become rather critical—that especially it was so in the Dardanelles, and this had arisen from some misunderstanding with the Court of St. Petersburgh. It was doubly important, therefore, that at this moment Great Britain should be represented there, as, indeed, Great Britain ought always to be represented, by some person well fitted for the discharge of most important duties—some person of extended experience, of great talents, of tried discrimination. There had been for some time a vacancy in the appointment, and it was expedient that some measure should be taken to fill it up. He did not complain of the delay that had taken place, but he thought that it ought not to continue much longer. With regard to the change of the Sovereign in Austria he could not avoid expressing his hope that his Majesty's Government would seize upon the opportunity offered by the change of the reigning sovereign there, and enforce what he knew their predecessors had tried to enforce, the humane, and in his conscience, he believed, the sound, prudent, and politic course as regarded the individual interest of the Austrian Government imposed upon the Government of his Imperial Majesty, to mitigate the rigours, if not to terminate the sufferings, that for the whole of the last seventeen years had been inflicted upon some of the ablest, most accomplished, virtuous, and enlightened individuals, the ornaments of the nobility of a part of his Imperial Majesty's empire. He repeated, that prudence and policy at once dictated the termination of the imprisonment of these unhappy individuals. He hoped that an occasion would be taken of forcing this subject on the attention of the Austrian Government in a manner that became the character, the policy, and the wisdom of this country, for he was convinced, that it was the most true and the best means of removing one of the greatest dangers that beset the Imperial Government in the most critical part of the Austrian dominions. He trusted that an act of grace would terminate the sufferings of these illustrious men. He should say no more, for he wished to speak kindly and respectfully of the Austrian Government, from whose good will and good sense he looked for the success of the measure he was now suggesting.

The Duke of *Wellington* was convinced that the noble and learned Lord did not expect him to answer the question that had been put. This was only the first day after the notice of the death of his Imperial Majesty, and it was impossible therefore, that he could come down to the House and say on what subject his Majesty's Government might think it necessary to enter into negotiations with that of Austria. The noble and learned Lord had spoken about the moving of the fleet, and presumed, from its removal from Malta to the Dardanelles, that there must be some grave matter of discussion between this country and the court of St. Petersburgh. He begged leave distinctly to say that such was not the case—he had no reason to believe that there was any such, or that any such might arise. Further, he should state that a noble Lord had been placed in the situation of his Majesty's Ambassador at the court of St. Petersburgh, and that he would go thither whenever the season permitted him to travel.

Lord *Brougham* had not gone on the presumption mentioned by the noble Duke; he had only referred to suspicions and rumours; he was informed that there was a continuance of amicable, and, indeed, friendly and cordial relations between the two courts, but it was impossible not to be alarmed at the bare supposition of the negative of all this. He had not put a question on the other subject, but had merely made a suggestion that he hoped might lead to a renewal of the endeavours to produce a just, humane, and prudent policy.

HOUSE OF COMMONS,

Tuesday, March 10, 1834.

Minutes.] Petitions presented. By Sir Charles Burrell, Mr. Hodges, Mr. Plumptre, Mr. Wilson, Mr. Townley, Lord Darlington, Sir William Geary, Lord Cavendish, Mr. John Fielden, Mr. Cobbett, Lord Grimston, Lord Andover, Colonel Lygon, Mr. Grantley Berkeley, the Marquess of Chandos, Mr. Handley, Mr. Goring, Major Beauclerk, Mr. E. Buller, Mr. Curteis, Lord Mandeville, Mr. Anderson Pelham, Mr. Baring, and others, from a variety of Places in every part of the Kingdom,—for the Repeal of the Malt Tax.—By Mr. Wilks, from St. Peter's, Wallingford, for the Abolition of Church Rates.—By Sir John Campbell, from Prisoners in the Marshalsea (Dublin), for the Abolition of Imprisonment for Debt.—By Mr. Kelly, from Licenced Victuallers at Ipswich, for the Repeal of the additional Duty levied on Spirit Licenses.—By Lord George Lennox, from the Clerk of the Peace for Sussex, praying for Compensation for making Public Returns.

Revision of Taxation.] Mr. *Kelly* presented a Petition from the Innkeepers and Licensed Victuallers of Ipswich, praying for the removal of the additional duty which was placed during the last year on spirits. The hon. and learned Gentleman expressed a hope that the subject would speedily undergo the consideration of the Government, and said, that if it did not, he should feel it his duty to submit a Motion on the subject to the House in the course of the present Session.

Sir *John Campbell* said, that there was some hardship in the manner in which this additional duty was imposed.

The *Chancellor of the Exchequer:* I submit to the good sense of the House whether it is not the duty of every hon. Gentleman who is at all interested in the remission of any of the taxes imposed last year to vote at the present moment against the repeal of the malt-duties? I will not on this occasion express any opinion upon the subject; but surely if the malt-tax be repealed the effect must be to preclude all possibility of remitting any other impost which may in the consideration of many both in and out of this House be considered objectionable.

Sir *John Campbell* observed, that whether he should vote or not for the repeal of the malt-tax was not the subject which he had now to consider. His objection in the present instance was not so much to the magnitude of the tax as to the manner in which it was imposed.

Mr. *Robinson* said, it had long been his anxious wish to have all questions touching the taxation of the country referred to a Select Committee, in order that it might be ascertained in the only way likely to lead to a satisfactory result what taxes ought to be remitted, and what continued. The necessity for such a course would be rendered the more obvious by the Motion which the noble Marquess opposite intended to bring forward that night. The noble Marquess proposed calling on the Chancellor of the Exchequer to give up the Malt-tax, but he would put it to the House whether a man who stood pledged to a particular line of conduct could be expected to enter upon such a question with anything like impartiality? [The Marquess of *Chandos*:—Not pledged; I act in accordance with my own conscientious opinions.] He must repeat what he had said, notwithstanding the denial which the noble Marquess had given to it. He felt perfectly justified in the statement which he had made. The noble Marquess was pledged, and so were other hon. Gentlemen, on this question, and he would ask whether a person who stood in such a situation was not unfit to discharge his public duty in that House? Let them only recur to what took place last year when the pressure from without compelled the late Chancellor of the Exchequer to give up the House-tax. A similar experiment was now about to be tried on the present Chancellor of the Exchequer, and with such evidence before their eyes would not the better way be at once to have the whole subject considered by a Select Committee than to suffer the Finance Minister of the Government to remain longer liable to the embarrassments which such Motions as that of the noble Marquess must inevitably occasion. While the present state of things existed, no Chancellor of the Exchequer could have anything like control over the finances of the country, and he was therefore convinced, that not only the wisest but the most prudent course would be—a course which would alike satisfy the Government, and the public— to adopt the suggestion which he had for the last two or three years been pressing on the attention of that House. The burthens which pressed upon the country would never be lightened until some such step was taken, and it appeared to him to be the only means by which an equal and just distribution of taxation among all classes could be safely and permanently effected. But he had no doubt that, sooner or later, the necessity for taking the course which he had pointed out would become manifest to every man in the country who had any knowledge of the subject. He should, however, feel it his duty on the present occasion to vote for the Repeal of the Malt-tax; and the ground upon which he should give his vote was because he considered that the property of the country was most unfairly exempted from bearing anything like its due proportion of the public burthens. There was a growing opinion to this effect rapidly gaining ground out of doors, and, therefore, he hoped, before long, to see a general revision of the present vicious, unjust, and cruel system of taxation, and a more equitable one established in its room. He must, however, candidly say, that he did not think the noble Marquess was dealing fairly by the present Chancellor of the Exchequer, in asking him to Repeal so considerable a source of revenue as that produced by the Malt-tax without, at the same time proposing some substitute for it. He was most willing to bear his testimony to the exalted character of the noble Marquess, and to admit that he richly deserved the high opinion which was generally entertained of him; but although he made these admissions, he must assert that such a proposition as that contained in the noble Marquess's Motion, coming as it did from such a man, unaccompanied by any suggestion for supplying the deficiency which must occur in the revenue if the Malt-tax were repealed was nothing more nor less than an attack upon the public credit of the country.

Mr. *Cobbett* expressed surprise at the sentiments which the hon. Member for Worcester had delivered, and said, that he entertained a firm conviction that the 400 Members of that House who were pledged to effect a Repeal of the Malt-tax would fulfil their engagements to their constituents. He denied that it was the duty of a party proposing the repeal or remission of a tax to provide a substitute for it. That was the business of the Chancellor of the Exchequer, and he thought it would be somewhat absurd to contend that the Chancellor of the Exchequer was not bound to give up a tax unless he were provided with other means for supplying any deficiency which his doing so might occasion in the revenue. Now his great objection to the Malt-tax did not arise from the magnitude of the sum—the four millions and a half it produced to the revenue—but rather from the mischiefs which it occasioned. No tax that could be invented would, he believed, produce half so much mischief, and hence it was that he wished to see it repealed.

Petition laid upon the Table.

THE MALT DUTIES.] The Marquess of *Chandos* said, that in pursuance of the notice which he had given he was about to address the House upon a question of very considerable importance, not only to the constituency whom he had the honour to represent, but to the country at large; and whatever motives might be ascribed to him for bringing this Motion forward he could assure the House and the country that he was actuated by only one motive in introducing it, and that was the benefit which he thought the country at large would derive from the repeal of the Malt-tax. That was his only object, and by no other earthly motive was he actuated. He begged to assure the right hon. Baronet at the head of the Government that he had not the slightest wish or intention—no such desire had ever entered his mind as to embarrass the Government by the course which he meant to pursue. He acted from a sense of the duty which he owed to the country, and in conformity with a promise which he had made to his constituents in submitting the present Motion to the House; and having once given a pledge, nothing under heaven should prevent him from redeeming his word. In bringing forward this subject again he was quite aware that he had no argument to offer which had not been stated often and often before. He was fully sensible that he had nothing new to urge in support of the proposition with which he meant to conclude, and therefore the only thing that remained for him was simply to tell over again the same tale that he had formerly told of the wretchedness and distress of the farmers of the country, and the almost unexampled misery which was endured by the whole agricultural population, and to implore the House to go along with him in devising some means for their relief. With regard to the Malt-tax, which it was his duty to bring under the consideration of the House, he must say that it had for a great many years oppressed the agricultural interests of the country to a grievous extent. But he would compare the duties imposed upon Malt in ancient and modern times. This tax was first imposed in the reign of William and Mary, and it was then levied after the rate of four shillings the quarter. The amount was subsequently at different periods increased, and accordingly he found that in—

1787 it was	10s. 6d.
1791	12s. 6d.
1802	18s. 6d.
1804	38s. 6d.

In 1817 it was reduced to the rate at which it now stood, namely, 20*s*. 8*d*.; but the country would not be satisfied with an impost that was manifestly so unjust, be its amount what it might. He knew that there were many Gentlemen who entertained the opinion that, a partial reduction of this duty would be beneficial to the country; but, although he could not deny that it might have that effect, yet they should consider that even were it reduced one-half, the whole machinery of the excise, all the expense of collection, and the harassing which the farmer underwent would still remain. If the extinction of this duty only got rid of the excise it would effect a considerable saving not only to the farmer but to the country. But the effect of the Malt-duty was so apparent that it would be a useless waste of time to point it out. Not only did it injure the farmer most materially by the harassing nature of its collection, but it tended greatly to diminish the consumption, and of course the growth of barley. It also prevented him from receiving into his house, as in the days of old, the labourers whom he employed, and they were deprived of that beverage of home produce by which in former times their strength and happiness were so beneficially sustained. By the abolition of this tax both the farmer and the labourer would gain many advantages of which they were now deprived, and it was only an act of justice to them that it should be remitted. The Malt-tax, like the sugar-duties, used to be voted annually by Parliament, but in the year 1822 that course was altered. It then became a permanent tax, and Parliament no longer had control over it. The extraordinary pressure of this duty had csused an immoderate increase of the use of ardent spirits, and gin palaces were flourishing while breweries were going to decay. They all felt sensibly the baneful effects which gin palaces had produced on the morals of the people, and he thought no man could doubt, that those establishments were the occasion of the rapid increase of crime which had taken place within the last twenty years. For this purpose he should refer to the returns which had been laid before that House on the state of crime throughout the country. From the year 1812 to the year 1819, the number of criminal offences was 52,216; from 1819 to 1826, it was 95,628 and from 1826 to 1832, 131,818; and what was most to be lamented was, that of this last number there were no fewer than 12,000 women, all of whom were brought before the Magistrates for offences arising out of a too free use of ardent spirits. It was, therefore, most disastrous to the morals as well as to the health of the people, both in town and country, that their national beverage should by oppressive taxation be removed from them, and that ardent spirits should be substituted in its place. It was much to be regretted, and it was one of the chief complaints of the agriculturists, that relief was extended to different classes of his Majesty's subjects, but not the slightest attention was yet directed to the relief of the agricultural classes from the grievances they endured. In his Majesty's speech he deplored the ruinous state to which the agricultural interest had been reduced, but no hopes were held out in it as to how it could be improved. The right hon. Baronet, in the relief which he proposed, merely intended to do away with the county-rates, and other local expenditures. This would be of no advantage to the farmer; for, suppose a farmer who held 250 acres of land was merely relieved from local taxation, the benefit he would derive would not be more than eight pounds per annum. Whereas, if the Malt-duties were removed, the benefits would be seventy or eighty pounds per annum. The reduction of the Malt-tax, then, he contended, would be infinitely more advantageous to the farmer than any benefits which he could derive from any proposed measures which would go to free him from local burthens. Let hon. Gentlemen look at the state of the country now, compared with what it was in former times, when the farmers brewed their own beer, and were able to give their farm servants a good, a cheap, a wholesome, and national beverage. Now not only the farm servants, but the farmers themselves were compelled to resort to the brewer for a deteriorated article at a far higher price. In those days it was cheering to look at the farmer's comfortable fire-side, with his happy servants congregated around it; but now he was sorry to say, the farm servants were compelled to resort to the pump, or perhaps the nearest ditch to satisfy the demands of nature. He appealed in behalf of these valuable men to a British House of Commons, a great part of which consisted of country Gentlemen, to whom the interest of the agricultural body ought to be a matter of some consequence, and he hoped and trusted that the appeal would not be made in vain. Provision should be made against the evils which threatened the existence of that body ere it was yet too late to preserve them. Ruin already stared them in the face. Many had been compelled through the exigences of the times to abandon their own homes, and seek for a subsistence in a foreign land. Others had been compelled to shut up their dwellings and take refuge in the workhouse. Things could not go on in that way, and it therefore was the duty of that House to take the distress of the agricultural classes into its earliest consideration. If he asked that relief should be granted to this class at the expense or to the injury of any other class or classes of his Majesty's subjects, he should feel that what he sought was partial and unfair, and he should consequently abandon the measure; but, on the contrary, he felt satisfied, that the House, in any relief which it would grant to the agricultural interest, would, at the same time, confer a benefit on the country at large. The tradesman depended for success upon the prosperity of the farmer, and anything which tended to raise the condition of the farmer would, by its beneficial influence upon the other classes, be hailed with universal satisfaction by all. There was another point of view in which the House would do well to look at the subject. It should be observed, that the greatest share of the profits of the trade found its way into the pockets of the maltsters. The consumption of malt he found in the tables of the revenue (page 94), to be for the year ending the 10th of October, 1833, 40,075,890 bushels, which, at 8*s.* per bushel, amounted in money to 16,030,306*l.* Barley in malting increased about one-tenth, so that you would find about 36,300,000 bushels of barley required to make the specified quantity of malt. Taking the barley at 4*s.* per bushel, it would amount to 7,633,660*l.* Now, what was the duty paid to Government on malt in 1830? It amounted to 4,923,074*l.* The expenses of the maltster in manufacturing malt were about 3*s.* a-quarter, and, taking into account certain extra charges, arising from the mode of proceeding of the Excise, the expense might be taken at 3*s.* 6*d.* per quarter. Of the whole sum, then, of 16,030,306*l.*, only 4,923,074*l.* found its way into the Exchequer. What became of the rest? The rest was the profit of some individual or other, and a great portion of it, more or less, found its way into the pocket of the maltster. A profit the maltster had a right to realize, but Government, which received the duty, ought not to adopt a course which allowed so much to go into the pockets of individuals. If any alterations were made in the duty—if even half of it were taken off—it would help the agricultural interest; but if the whole tax were taken off, they would avoid the expense of collection—they did away with monopolies—they promoted the opening of private breweries—they threw the trade open to a large portion of his Majesty's subjects; consequently the relief would not be confined to the farmer alone, it would extend to the whole of the community, and, more or less, they would find every man in some degree benefitted. The brewer doubtless made a considerable profit, and no doubt, in many cases, there was a great want of the materials necessary for giving the poor man a sound and nutritious beverage, such as he had a right to expect. But by taking off the Malt-duty, opening the trade, and enabling private persons, as well as farmers, to brew, they would insure to the community the enjoyment of a wholesome and nutritious beverage. In London, between 1720 and 1730,500,000 more quarters of malt were consumed in brewing 3,670,000 barrels of beer than, between 1790 and 1800, were used in brewing upwards of 6,000,000 barrels. Hence, it appeared that the use of malt in brewing had materially decreased in the latter period. There was another point which affected farmers to a considerable extent. In many counties, the feeders of cattle would feed large cattle on refuse barley, but that they dared not wet the grain lest it should come under the Excise-duty. In many cases the farmers fed their cattle on oil-cake, which was more expensive, because they were not able to give their refuse barley to the cattle wetted. Taking off the Malt-duty would materially benefit those individuals. There was another point, by which farmers were most materially affected. It would be found, that in many counties the feeders of cattle would prefer feeding them on refuse barley; but, in consequence of the Excise-laws they dared not wet it for the purpose. In his own county, though many farmers wished to feed their cattle on refuse barley, they could not do so in consequence of the laws, and here there would be a great benefit both to graziers and farmers if the tax were done away with, as the one would be able to use that food which he preferred, whilst the other would find a market for his refuse grain of the best quality, the maltster being unwilling to use any but barley of the best quality. The farmers now having no use for the refuse, the value of the whole crop became greatly depreciated; but if the duty were taken off, the farmers would be able to make use of this refuse barley for other purposes, and thus obtain greater remuneration. In support of this assertion, he would state to the House, that he found two bushels of malt were superior to three of barley in feeding cattle alone. In great agricultural counties the advantages arising from the repeal of the tax on these grounds would be very great. It was quite true, that in his own neighbourhood the reduction of the Malt-duty would not be of any very considerable benefit to the farmers immediately around him; but in the upper parts of the county, where barley was very much grown, the farmers were one and all agreed upon the point that the alteration in the Malt-duty ought to be made. They now prayed the House to take off the whole of the duty if they possibly could; but he was warranted in saying, that an approach to any alteration in this respect would be considered as a great benefit, and hailed as an earnest of the future good intentions of the Legislature. It was quite impossible that the Government of this country, be it what it might, could proceed, year after year, maintaining these duties. He had himself endeavoured, and others before him had tried, to obtain the alteration or repeal of these duties. He regretted deeply and sincerely to find it probable that in the effort he was about to make on that occasion he should not succeed. At all events, he should have the satisfaction of having made the Motion, and of affording the country gentlemen of England returned by large constituencies, many of them distinctly pledged to give their support to the Motion, an opportunity of redeeming the solemn promise. He knew perfectly well that his right hon. Friend the Chancellor of the Exchequer had a right to call upon him or any other Gentleman who proposed the repeal of a tax, to find a substitute. He might, in this instance, screen himself under the opinion of an hon. Member who once graced the Opposition benches—he meant the late Mr. Tierney, who had stated, "that it was his business to find fault with taxes, not put them on." After the extraordinary statement made upon a former occasion by the right hon. Baronet, the late Member for Lincolnshire (Sir W. Ingilby), he (the Marquess of Chandos) should certainly feel considerable reluctance in proposing any budget of his own, fearing that he should not be enabled to come up to that hon. Baronet in point of the amount to be realized, however nearly he might approach him as far as the common sense of his proposition was concerned. On this point, however, he had only to apply himself to the proposition made last year by the right hon. Gentleman now President of the Board of Trade (Mr. Alexander Baring). He perfectly concurred in the opinion then expressed by that right hon. Gentleman as to the means of making up the deficiency which would be occasioned in the revenue by the repeal of the Malt-tax. He thought that, by imposing certain duties on raw spirits, foreign wines, and other articles connected with the Excise, they would find the means of meeting the deficiency, not trespassing on the comforts of the lower orders of the community, but throwing on the higher classes more distinctly and fairly their share of the general burden. He, for one, would most cheerfully and willingly bear a greater burden, could he but feel assured that, by so doing, he afforded relief to the farmer, the labourer, and a great portion of the people of this country. It was quite impossible that the people could go on with the present expenses of the country; it was quite impossible that they could go on with the present amount of local taxation, altering as it did every year—sometimes increasing, sometimes diminishing—without receiving some help and assistance from that House, not in the shape of the reduction of small taxes, not in the shape of trifling and unimportant alterations, but in the shape of one bold and decided measure of relief. He thought he might venture to say, that the one they looked to with the greatest hope and anxiety, was the reduction of the duty on malt. He was at first induced to think that, on bringing this subject forward, it would be expedient to propose a more extensive and lengthened resolution than the one he should submit to the House. He had wished by that Resolution to obtain a vote of the House of Commons as to the exact period of time at which the Malt-duty ought to be taken off. Taking into consideration, however, the immense magnitude of the interests involved, confined to no class, and belonging to no party; remembering that, in the first instance, the maltster would claim some compensation for the depreciation of his stock in hand; and, feeling anxious that the Chancellor of the Exchequer should not be called on to allow a drawback on that stock, but that time should be given for its full and fair expenditure; taking into consideration, also, the difficulties inseparable from the sudden reduction of so large an amount as 5,000,000*l.*, he felt that he should better consult the interests of the country at large, if he proposed a resolution having for its object the entire abolition of the duties on malt; leaving it to the House to grant him subsequent permission to bring in a Bill, in which he would fix the period at which the extinction of those duties should commence. He would propose by that Bill not to extinguish the whole of the Malt-duty at once, but to effect its repeal by two or three instalments. By these means, he should relieve the embarrassment of the Chancellor of the Exchequer; by these means he should obtain relief for the tradesman—he meant the maltster—and enable him to clear off his stock on hand; and he had no fear but that the arrangement would afford perfect satisfaction and contentment to the English farmer. God forbid that he should get up in that House and propose any measure that could inflict any injury upon the public credit. He was not the man to take any such step; he was not the man to confer a benefit upon one class of the community, to the injury of another; he was, however, the man to confer a real, substantial, and decided measure of relief, for a class of men who, he again repeated, called upon that House for relief—whose distresses the House could not be ignorant of, or blind to, and whose station and position in the country demanded their respect and attention. He found, on looking back to the Debates in Parliament, that individuals now in the House, or filling a most high and distinguished position in the country elsewhere, had, to a greater or less extent, bestowed their attention on the present question, and expressed their hope and confidence, that, sooner or later, the repeal of the Malt-duty would be effected. He appealed in the present Parliament to the men who had assisted him in his former efforts; he appealed to the vast body of English country gentlemen, whose return had been founded more or less upon the understanding that in that House they were to advocate the cause of the farmers, and that in that advocacy they would endeavour to give effect to the Motion which he should have the honour of proposing. It was not his business, nor would he in any way, or under any circumstances, find fault with, or cavil at, the conduct or opinion of any man. He brought it forward as an act of duty which he owed to the community, and in redemption of the pledge he had given to the country at large. Whatever might be the result of that night's Motion, he should, at least, have the comfort of reflecting, that he had done his best to serve the agricultural interest, and had not swerved or deviated from that line of conduct which, as an honest man, he thought it best to pursue for their comfort and well-being. He might, indeed, have wished he could believe, that that House was disposed to favour the agriculturists; he could have wished that it had been in his power to look forward with confidence to the result. He feared that he should not meet with the success he had once fondly hoped for; but they might depend upon it, that the Malt-duty could not long retain its present position in the financial arrangements of the country. It might, perhaps, fall to the lot of some one more worthy than himself to effect the repeal of that tax hereafter; but from the attempt to remove an imposition so oppressive in its nature, and injurious in its effects, he would never shrink. His intention was, to propose to the House a Resolution, calling upon them to vote for the extinction of the whole duty upon malt, which, in the event of his succeeding, he should follow up by asking leave of the House to bring in a Bill, making it a matter of arrangement as to the time at which the reduction should take place. He wished the House to understand, that, by giving the vote for which he asked, they would not bind themselves to any specific time or day: their vote would be for the extinction of the duties on malt, leaving for subsequent consideration the question of the time at which the reduction should commence, and the mode in which it should be effected—whether by one, or two, or more instalments. He thought it right to state his future intention expressly in this way, because he was aware that, by moving a long Resolution he should encumber the question, which he hoped would now be brought clearly and distinctly before the House. He should not feel justified in trespassing at greater length upon the patience of the House, or standing any longer in the way of other gentlemen who were anxious to address it. He felt that no words of his, and no exercise of his ability, humble as it was, could add to the strength, or enhance the importance, of the cause he advocated, or lay before them more clearly the distressed position of the English farmer. Last year he had had the pleasure and honour of being enabled, by bringing forward a Motion on the subject of agricultural distress, to draw the attention of the House so closely to that interest, that the majority against him was inconsiderable compared to that which had divided on former occasions. Looking to the present condition of the farmers of England, and comparing it with that in which they were at the period to which he adverted, there could be no shade of difference whatever in their favour; their distress continued the same; the price of the articles they produced had rather diminished than increased; and, without intending to enter at large into the question of agricultural distress, he could not refrain from saying before that House and the country, that the farmer was even in a worse position at the present period than when the former motion was brought under consideration. Surely this was an additional inducement—if any additional inducement were wanting—to enter upon the question with an unfeigned and sincere desire to relieve his distress. He would trouble them no longer: he thanked the House for the kindness with which they had listened to the words he had uttered, and he hoped he had not trespassed upon them at too great a length. He had laid before them, in the plainest and most simple manner, the object of the Motion, and the intentions with which he proposed, and, in the event of its success, should follow it up. He left the subject with a jury of English country gentlemen who were to take into their consideration not only the question, whether the farmer was distressed, and ought to be relieved, but whether the Motion he submitted for their approval was likely to afford him that relief. It was fair that the question should be thus put before the House; it was fair that no person should be taken unawares as to the vote he was to give that night. After the statements he had heard, and the speeches he had read, delivered by hon. Members in different parts of the country, he did not deem it possible that country gentlemen, owing their seats entirely to the agricultural interest, could now, in the hour of need, desert the men whom they had at first supported, and who now called upon those country gentlemen of England to support and assist him in carrying the Resolution which he should now have the honour of placing in the Speaker's hands. He begged to move the following Resolution:—"That it is expedient that the present duties upon malt shall altogether cease and determine."

Mr. *Handley* in seconding the Motion, observed, that he was well aware to what degree, in times of political excitement like these, individuals might be exposed to the imputation of party motives for supporting a Resolution such as the present, but he disclaimed all party spirit or motives, his object being not to achieve a party triumph, but to effect what, after mature deliberation, he considered a great public good. The noble Lord had ably described the distressed state of the agricultural interest; but, for himself, he regretted, that he had not words sufficiently expressive to convey his opinion of the distressed condition of the farmers. He could not persuade himself that Ministers, although they had the advantage of the advice and counsel of the right hon. Members for Essex and Kent, could be aware of the actual state of the agricultural interest, or they would not have insulted the feelings of the farmers by such a mockery of relief as was promised in the Speech from the Throne. In 1821, when wheat was 54*s.* 5*d.* a quarter, a Committee of that House pronounced its opinion that the farmer was unable to go on and pay the expenses of growing corn. In 1833, a Committee again sat, when wheat was 53*s.* 1*d.* per quarter, and in reference to the report of the former Committee stated, that the state of the farmer was not changed for the better, and that his capital was diminishing rapidly. Now, when 40*s.* 4*d.* was the average price of wheat, it could not be supposed that the farmer was better off. But even this was not the average price obtained by the grower, but was increased by many other charges, by profits of carriage and commission. He had himself sold wheat of the best quality last week for 37*s.* per quarter. Was it possible for the farmer to grow wheat at such a price, even if he were rent-free? And must not the consequence of such a state of things be, that one-third of the wheat lands in the country would go out of cultivation? Gentlemen opposite might express their fears at the progress of Reform, and declare that they foresaw a revolution, as regarded all the institutions of the country; but the state of things which he had adverted to was the revolution actually to be dreaded. This state of things demanded from Parliament and the Government something more than the Report of a Committee or the empty sympathy expressed in a King's Speech. The reduction of the Malt-tax would lead to the amelioration of the condition, not of the agricultural interest alone, but of all other interests connected with it. It was the most pernicious, the most partial, and the most unjust of all imposts, inasmuch as it affected only one branch of industry — agriculture, and only one description of land — and that too which, from the amount of capital necessarily expended on its cultivation, was least able to bear it. It was oppressive and demoralizing in its effect, because it deprived the labouring classes of their natural beverage, and held out encouragement to the consumption of spirits. It was likewise impolitic, because it placed at the threshold of the malt-house an impediment to consumption. His noble Friend, who had brought forward the Motion, had alluded to the circumstance, that in consequence of the heavy duty on malt, the consumption of the article had not increased in proportion to the increase of population. This was a point deserving the serious consideration of the House. He had compared the census of 1821 with that of 1831, and found that though the population had increased to the amount of 3,000,000 between those two periods, the consumption of malt had remained stationary. That this was not to be attributed to the diminished means on the part of the people to purchase malt liquor was proved by the increased consumption of other articles; for instance, the consumption of sugar during the same time had increased 30 per cent, tea 40 per cent, and coffee 200 per cent. He, however, found that immediately after the Repeal of the Beer-tax an increased consumption of malt took place, the quantity consumed in the two years subsequent to that measure exceeding by 16,000,000 bushels that consumed in the two years preceding it. This proved that the repeal of the duty on malt would have the effect of greatly augmenting the consumption, and thus benefitting the farmer. It might be said, that barley at present fetched a high price in the market; but it should be recollected that this was owing to the partial failure of the spring corn last season. Taking the average of the two last years, the price at this period of the year would be about 26*s.* a quarter; it was now 32*s.* and it could not go much higher than that without coming into competition with foreign barley. He had very little doubt, that if the duty were repealed, the average price of barley in ordinary seasons would, during the increased demand, be 31*s.* a quarter. This would give the farmer 5*s.* a quarter above the present average price, or, supposing an acre to produce four quarters, an augmented income of 1*l.* per acre. For his part, he expected, that the agriculturist would be benefitted more by the increased value which the inferior descriptions of barley would acquire than by the rise in price of the best sort. Farmers' labourers would brew from second rate barley, as they now baked from second rate flour. There could be no doubt that the moment the tax was repealed, malt would be much more extensively used in distillation. At the present moment the price of spirit distilled from malt was from 2*s.* to 2*s.* 4*d.* per gallon higher than that distilled from raw grain. Another use to which malt would be applied, if the duty was repealed so as to reduce the price, would be feeding of cattle. Persons conversant with the subject were aware that there was nothing better than malt for fattening cattle. It was a common thing for persons to pay 7*s.* a-head per week for bullocks which were taken in at distilleries, and fed upon the wash. In all the prize cattle societies with which he was acquainted, candidates were debarred from giving wash to cattle, because its price would prevent all persons from obtaining it, and its fattening properties would give the superiority to the animals of those who were able to purchase it. If the mere wash was of so much use when employed in the feeding of cattle, how much more advantageous would it be for cattle breeders to be able to avail themselves of all the saccharine matter contained in the malt itself? Why should graziers be compelled to purchase foreign oil cake for fattening cattle, when they could have a better and more natural article of food in malt? The delicate sense of a metropolitan palate was sometimes shocked at the idea of cattle being fed upon oil cake. Let hon. Members only vote for the Repeal of the Malt-tax, and he promised them they would have beef and mutton of better quality than they could get at present. He might be told that the Repeal of the Malt-tax would benefit only barley growers, but that he denied. He would ask the farmers of clay lands whether, if the produce of barley should increase threefold, it would not displace so much wheat, and consequently enhance the price of that which remained? But the Repeal of the Malt-tax would benefit the farmer, also, in his character of consumer. He was happy to say, that in his county it was still the practice, and God grant it might long continue so, to receive single men into the farm-houses. The supplying them with beer was a source of great expense to farmers, for beer they would and ought to have. In diminishing this branch of expense, therefore, the Repeal of the duty would operate most beneficially for the agriculturist. There was yet another point connected with this part of the subject to which he must direct the attention of the House. The number of beer-houses which existed in rural districts was generally acknowledged to be a grievance, and he was satisfied that any person who looked into the question must come to the conclusion, that a great proportion of the crime, discontent, insubordination, and imprudence which had of late years gained ground in rural districts was to be attributed to the establishment of beer-shops. He knew not how this evil could be so easily abated as by exposing it to the competition of private brewing. Last year the hon. Member for Oldham quoted the evidence of a Magistrate in Oxfordshire, who had taken some pains to ascertain the best means of obviating the evil which arose out of the beer-shops. This Gentleman stated in his evidence, that out of fifteen clergymen whom he consulted on the subject, fourteen were of opinion that the best means of effecting that object would be the Repeal of the Malt-tax. Some persons might say, that the notion of agricultural labourers brewing their own beer was perfectly chimerical. For his part, he believed, that what one man could do another could effect by the same means. He employed labourers on day wages who brewed their beer, and those whom he engaged by the year were but too happy to take part of their wages in malt. It was worthy of remark, that owing to the high price of malt the labourers who brewed their beer were obliged to adulterate it. They had recourse to coarse sugar, the produce of our Colonies, as a substitute, an inefficient one, for that which they produced by the labour of their hands and the sweat of their brows. This, it must be admitted, was a monstrous evil and a crying injustice; but adulteration did not end here. The beer generally sold in beer-houses was little better than poison. Gentlemen resident in the country must be perfectly aware that a labourer who could drink two or three pints of his master's ale would, if he took the same quantity in a beer-house, return home either frantic and infuriated, or stupid and besotted. This observation applied to the beer sold in houses near the metropolis. Last summer a waterman on the Thames told him that he durst not drink the beer which was sold down the river, for if he did, he should be unable to pull back again. That the beer usually sold at these houses must be adulterated, was proved by the fact that whilst the brewer's price was 33*s.* a barrel, it was retailed at the rate of only 36*s.* per barrel. It was notoriously the common practice to make three barrels out of two. He knew not the ingredients which were employed in the process of adulteration, but the effects which the manufactured article produced showed that they must be very detrimental to health. The harassing and vexatious excise superintendence to which the maltster was subjected, could only be compensated by large profits. He did not blame the maltsters for obtaining a great profit; they incurred considerable risk in carrying on their business, and owing to the regulations imposed upon them by the Legislature, they could hardly stir a step, from the cistern to the kiln, without rendering themselves liable to heavy penalties from the mistakes of their servants. He now came to that part of the subject which his noble Friend had treated lightly, and which he certainly would not dilate upon—namely, the financial considerations connected with the question. He remembered that the hon. Baronet, the former Member for North Lincolnshire, drew upon himself much obloquy in consequence of usurping the functions of the Chancellor of the Exchequer. He had reason to think that the hon. Baronet lost his seat on that account, and therefore it could not be expected that he should run the same risk. He would not run the risk of incensing the bees of the hive, unless he was to have a share in the honey. Nevertheless, he must declare, that he could not subscribe to the doctrine of Mr. Tierney, that it was proper to repeal a large item of taxation without providing a substitute. As far as he himself was concerned, his vote was recorded in favour of the Motion of the hon. Member for Worcester, for such a commutation of taxes as would remove the burdens which pressed heavily on the labouring classes, and substituting a Property-tax for them. By that vote he was prepared to abide, though he was aware of the unpopularity of a Property-tax in that House. However, he was fortunately relieved from the necessity of bringing forward a budget of his own to supply any defalcation of the revenue which the Repeal of the Malt-tax might occasion, and needed only to refer the Chancellor of the Exchequer to the suggestions upon this point which the right hon. Member for Essex offered to the House in 1833.—Upon that occasion, in discussing the question of the Repeal of the Malt-duty, the right hon. Gentleman made these "observations:—He believed that no reduction of taxation was more likely to give relief than the reduction of the duty on malt. If, however, the tax could not be spared, it might easily be transferred to some other article." He would not anticipate the speech which the right hon. Gentleman would make that night in support of the Motion, and which, doubtless, would prove, that whilst the country had gained an able and efficient President of Board of Trade, the farmers had not lost their consistent friend and advocate. The right hon. Gentleman, if he recollected rightly, referred to an augmentation of the duties on spirit and foreign wine as a means of supplying the deficiency which would be occasioned by the Repeal of the Malt-tax. It was, however, but just to state, that at that period there was an available surplus of 1,200,000*l.*, and, therefore, to that extent the revenue could not have suffered by the Repeal of the tax. The present Chancellor of the Exchequer would, doubtless, obtain a surplus by the retrenchments he would effect. He would have the right hon. Gentleman avail himself of that as far as it would go, to make up the defalcation that might be occasioned by the Repeal of the Malt-duty, and to obtain what further sum was wanting by loan, which he could soon procure the means of paying off by letting the Crown lands by public auction, instead of upon job leases, as had hitherto been the practice. A further substitute for the Malt-duty might also be met with in a tax which once found its way into that House, but was speedily given up by the noble Lord who introduced it. He alluded to the tax on the transfer of funded property, and he could not perceive the force of the argument which had been employed against the imposition of that tax. He could not see the justice of subjecting a man who sold land to the value of 1,000*l.* to a heavy stamp duty, whilst another who sold 5,000,000*l.* worth of stock paid no duty at all. He might be told that the imposition of such a tax would be a breach of public faith; but he would ask whether it was no breach of public faith to compel a person to pay three quarters of wheat to discharge a debt which was contracted for one quarter? He looked upon taxation as an insurance which property paid for protection; and seeing that the main interest of the country, the agricultural interest, was on the verge of ruin, he would ask whether there was any description of property which it would be so prudent to insure as property in the funds? Let him not be misunderstood; he would lend himself to nothing dishonest or that would tend to a breach of faith with the public creditor.—He remembered the burst of honest indignation which assailed the hon. and learned Member for Dublin when he talked in that House of the "cant of national faith;" but, he would ask what was the value of national faith, if we had not national means to support it? A great financial authority, and predecessor of the present Chancellor of the Exchequer, Mr. Pitt, declared that every acre of land in England was mortgaged to pay the public creditor. He would not deny the correctness of that statement, but of what use would the land be to the mortgagee if he were to take possession of it, and find it uncultivated, and covered with a pauper population? One of two things must take place — either the agriculturist must be placed in a situation which would enable him to pay interest to the public mortgagee, or, like mortgagees in private life, he must reduce his interest. Before he concluded he could not refrain from adverting to a point which had been touched upon by his noble Friend, and which he was sure had no other ground than his own apprehensions—namely, the possibility of gentlemen who had pledged themselves elsewhere to support the Repeal of the Malt-tax voting against the present Motion. He could only say, that if those hon. Members who voted in favour of the Repeal of the Malt-tax on a former occasion, in spite of the threat of resignation then held out by Lord Grey's Administration (a stale trick which he understood had been resorted to on the present occasion—it was a threat which was not often carried into execution, and he had no apprehension that it would be on the present occasion, for, however easy it might be for gentlemen to change their opinions, it was not so easy to change their places), should vote against the present Motion, it would be evident that their former vote was dictated by factious motives, those motives which they were much in the habit of imputing to their adversaries.—Rumours were rife as to the manner in which some hon. Members intended to vote upon the present occasion, and probably some of them had reached the ear of his noble Friend; but, for his part, he attached no credit to those rumours, because he could not believe it possible that the men who a few weeks ago raised the cry of "measures not men," could now turn round and say that they did not love measures less, but loved men more. He could not suppose it possible, though it was strongly rumoured, that the hon. Baronet, the Member for South Derbyshire, who, at the late election, defeated his opponent in consequence of pledging himself to vote for the Repeal of the Malt-tax, would that night violate his pledge. He held in his hand an address which that hon. Baronet had issued to his constituents before he was elected, from which he would take the liberty of reading an extract:—"I do not hesitate to say that, if I should have the honour of representing you in Parliament I will employ all the energies I can command to effect the accomplishment of two measures." The hon. Baronet proceeded to say that he held it to be indispensably and immediately requisite that measures should be adopted with respect to the currency, and then made use of the following words:—"The second measure to which I allude is the Repeal of that most oppressive and mischief-working tax, the Malt-tax, which displaces industry, destroys social frugality, promotes intemperance and immorality, and diminishes the consumption of one of the chief comforts of the industrious labouring classes. For these professions I claim credit, because no one can convict me of ever having broken a pledge or violated a promise." After having heard that passage, he would ask his noble Friend whether he was not alarmed without just cause with respect to the manner in which hon. Members intended to vote? It was impossible that gentlemen, who, a few weeks ago on the hustings claimed the support of their constituents by arrogating to themselves exclusively the title of the farmer's friend, would now desert him in his time of need? Was it possible that there were persons in that House who were prepared to add to the misery of the already broken-hearted farmer by betraying his cause? The day for professions was gone by—a test was now proposed by which to try the sincerity of hon. Members, and the division of that night would show who were and who were not the real friends of the farmer.

The *Chancellor of the Exchequer*[*] spoke to the following effect: the course which I intend to pursue in the present Debate makes me peculiarly anxious to rise at an early period of the discussion, when I am not likely to be diverted by any reference to topics of party excitement from the attempt to call the attention of the House—not to matters mixed up with political considerations, affecting merely the interests of parties in the state, but to the review of those facts and arguments upon which their judgment ought to be formed, and the exclusion of which from their consideration would, in my opinion, produce the most serious prejudice to the best interests of the country. The question which must this night be decided involves interests so complicated and comprehensive, as to impose upon the House—upon that jury of which the noble Marquis has spoken, the solemn obligation of finding their verdict upon the dictates of their conscientious conviction. I too call upon this Jury, impannelled on this high occasion, to decide, not on partial opinion, not upon promises rashly and inconsiderately made, not upon unsound prejudices, not with reference to the particular interest of any one class of the community, but as becomes a Jury, upon a comprehensive view of the merits of the whole question, upon a calm consideration of the evidence I shall offer, and the arguments I shall adduce.

I am called upon to consider this question—namely, whether I can consent to a Resolution which pledges me irrevocably to the total Repeal of the Malt-tax. I am called upon to consent to that Resolution, at a period when the House has had no opportunity of hearing any financial statement—at a period when it knows not from any authentic declaration what is the amount of the demands for the public service—what is the amount of disposable revenue,—before it has had any opportunity of considering any other claim for the remission of taxation: I am under these circumstances called upon to pledge myself irrevocably to deprive the public revenue of several millions of money. If such a Motion as the present is at any time defensible, I appeal to the House, whether it ought not to have been postponed at least till after an authorized exposition of the national means had been laid before the House? It will be my duty to make such a communication to the House as soon as possible after the close of the financial year—namely, the 1st of April; I shall then have an opportunity of describing to the House the state of the public revenue, and the amount of the demands for the public service, and the House being thus put in possession of the actual amount of the surplus, may appropriate it either to the remission of taxation, or in any other way it may think expedient. The noble Marquess, however, would not wait for this explanation, but has called upon the House, in fact, to exclude the consideration of every other interest, except that which he advocated, by pledging itself, that the Malt-tax should be the first, and I need scarcely add, the only burthen of taxation it would repeal. Thus forced into a discussion, which I think ought to have been postponed, it becomes necessary for me to enter on the task of convincing the House of the impropriety of acceding to the noble Marquess's proposition, and of cautioning it against the consequences which would result from a precipitate, and, in my opinion, unjustifiable pledge to Repeal the Malt-tax.

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[*] From a corrected Report, published by Roake and Varty.

Of course, I am unable to develope with perfect accuracy the financial prospects of the ensuing year; but I may refer to a statement made by my predecessor in the office which I now fill, which I apprehend is correct enough, in its results at least, for all practical purposes. The noble Lord, (Lord Althorp) in his budget last year, after providing for the Repeal of the House-tax, made a calculation of the probable available surplus for the year beginning the 1st of April, 1835, and ending the 1st of April, 1836. It is sufficient for my purpose to state, that although in some respects the calculations of Lord Althorp are erroneous; yet, I think, that upon the whole, the result at which his Lordship arrived, is not far from the truth. Lord Althorp estimated, that the demands for the service of the present year would be identical with those of the last. I, however, have the satisfaction of stating to the House, that I trust there will be a considerable reduction in the Estimates for the present year. I believe that the Estimates for the ordinary service of the year will exhibit a reduction of at least 470,000*l.* Although, this will of course increase the available surplus revenue; yet, as there are miscalculations in the statement of the noble Lord (for which his Lordship is in no degree responsible) as to the amount of charge on the Consolidated Fund, the correction of which will diminish the amount of surplus revenue to an extent not very far short of the saving on the Estimates, Lord Althorp's estimate of the amount of available surplus is upon the whole not an inaccurate one. Lord Althorp calculated, that on the 5th of April next, the revenue would exceed the expenditure by about 250,000*l.* I think, that after reducing nearly half a million on the Estimates, I cannot calculate upon having a greater surplus than 250,000*l.*; I mean, of course, after providing for 750,000*l.*, an annual charge for compensation to the West-India proprietors, and after the revenue has been subjected to the operation of the Repeal of the House-tax.

In this state of our financial prospects, with a surplus of 250,000*l.*, the noble Marquess requires the House to pledge itself on this night to the Repeal of the whole of the Malt-tax. Now, what is the total amount of this tax? I believe, that the gross produce of the Malt-tax last year was 5,150,000*l.*; but perhaps it would be more satisfactory to the House if I were to state what has been the net amount paid into the Exchequer for the last four years on account of this tax. That will afford the best indication of the productiveness of the impost. In the year, ending the 5th of January, 1832, the net sum paid into the Exchequer on account of the Malt-duty was 4,208,000*l.*; in the year, ending the 5th of January, 1833, the net amount was 4,675,000*l.*; in the year, ending the 5th of January, 1834, it was 4,772,000*l.*; and in the year ending the 5th of January, 1835, it was 4,812,000*l.* Thus, then it appears, that with a surplus of only 250,000*l.*, the House is called upon to sacrifice a revenue—and observe, a gradually increasing revenue, of 4,812,000*l.*; that is to say, it is required to cause a defalcation, an actual deficit, of 4,562,000*l.*

The noble Lord has told the House, that by repealing the whole of the Malt-tax, all the expense consequent on its collection will be saved to the country. Of course, there can be no doubt, that in determining on the policy of a tax, the charge of its collection is a material consideration. For that very reason, I have taken the pains to ascertain what is the charge at which the Malt-tax is collected; and I venture to say, that there will be found few taxes, the collection of which is accompanied with less expense to the public than the Malt-tax. I have endeavoured to ascertain what extent of establishment might be dispensed with, supposing that it should be determined to part with the whole of the Malt-tax. It is of course difficult to estimate the precise charge of collecting any particular tax, because the same revenue officers are employed in the collection of various taxes, but it is not difficult to determine what charge may be got rid of by repealing a tax; and this, indeed, is not an unfair indication of the expense entailed on the country by that tax, as the charge for its collection. I think, then, that I can with confidence state, that the charge of collecting the gross revenue of 5,100,000*l.* derived from the Malt-tax is certainly not more than 150,000*l.*; and I do not believe, that it is possible to make any reduction in respect of establishment, which would save the country a larger sum than that which I have just mentioned, if the House should consent to Repeal the whole of the Malt-tax. Besides the cost of its collection, another material consideration in determining on the comparative policy of a tax, is the opportunity it affords for frauds and unfair dealing. Now, I can with equal confidence state, that there is no tax by which 5,000,000*l.* of money is raised, nor any combination of taxes producing the same amount, which, on the whole admits of fewer opportunities for fraud and unfair dealing than the Malt-tax. I do not at the present moment pretend to give any opinion as to the possibility of adopting still further securities against the commission of fraud; or of affording greater facilities for the manufacture of malt, by freeing it from excise restrictions. It is not necessary for me to enter into the discussion of these points, for if the House should unfortunately, in the absence of all information, pledge itself to the total Repeal of the Malt-tax, it will render it unnecessary to consider, whether any modifications or improvements can be made in the Excise regulations respecting the manufacture of the article, or the collection of the duty.

The noble Lord, and the hon. Gentleman, who seconded the Motion before the House, complain that no remission whatever has recently taken place with reference to the Malt-tax. Is it then forgotten, that in the year 1830, this very article of malt was relieved from a charge to which it was subject in the shape of a duty on beer?—a charge, which, if calculated with reference to the quarter of barley, was not less than 35*s.* the quarter in amount? The noble Lord said, that he called for a Repeal of the Malt-duty, because the agricultural interest is in a state of depression, and because the price of agricultural produce has rapidly fallen. Is that, I ask, the case with regard to barley? Can it be said, that the present price of barley is lower than the price of the same article during the last year? Is it not a singular circumstance, that the price of barley at the present moment is higher, with reference to the price of wheat, than it has ever been known before? And yet the hon. Gentleman (Mr. Handley) assumes, that certain relief will be afforded to the agricultural interest by freeing from duty that article which bears the highest price, independently of the duty. The price of wheat, being untaxed, is low, while the price of barley, subject to a heavy tax, is high. Such being the facts of the case, by what reasoning does the hon. Gentleman arrive at the conclusion, that the removal of the tax from barley will necessarily increase the price of that article?

There is another remarkable fact which ought to be borne in mind, that the rate of duty having continued the same, and the intrinsic price of the article having risen, there has taken place during the last four years a progressive and considerable increase in the consumption of barley? If the rate of duty had tended to lessen the number of the quarters of barley brought to charge, or to diminish the amount of the revenue derived from the tax, the hon. Gentleman would then have been in possession of a powerful argument in favour of its remission; because he might have contended, that if the duty were lowered, the consumption of barley would be increased, and the apparent loss to the revenue, by the abatement of the tax, would be made up by an increased use of the article. But I am prepared to show, that while the rate of duty has remained unchanged, the quantity of barley brought to charge has gone on increasing. The net payments into the Exchequer for the last four years on account of the Malt duty are as follow:—

For the year 1831	£4,208,000
1832	4,675,000
1833	4,772,000
1834	4,812,000

Thus, then, there is an increase in the amount of duty received by the Exchequer, an increase in the consumption of barley, and also in the price of that article. These are three remarkable facts which ought not to be lost sight of. But though those who advocate the Repeal of the Malt-duty cannot deny that an increase in the price of barley has taken place, yet they contend that that increased price is the consequence of a deficient harvest. True it is, they say, that there has been an increase in the consumption of barley during the four years preceding the last, but in those years there have also been good harvests of barley; in the last year, however, there occurred a bad harvest, and an increase has consequently taken place in the price of malting barley. Now, if that statement be correct, there is also another effect which a deficient harvest ought to have produced,—namely, it ought to have diminished the quantity of barley brought to charge. The whole of that argument will therefore be destroyed, if I can show that the quantity of barley brought to charge since October in last year has increased, as compared with the quantity brought to charge in the corresponding period of the preceding year. Well knowing that it would be alleged there has been a defective harvest in barley last year, and that the rise in the price of the article is sufficiently accounted for by that fact, I have taken the trouble to obtain from the Excise-office this very morning, an account of the number of bushels of malt brought to charge from the 10th of October, 1833, to the 19th of February, 1834, in order that I might compare the amount then brought to charge with the quantity brought to charge, within the corresponding period, namely—from the 10th of October, 1834, to the 19th of February in the present year.

In the first of these periods the number of bushels brought to market was	18,509,904
In the second	19,356,683
Being an increase in the latter, as compared with the former, of	846,779

This then is clear, that so far as we have hitherto the means of judging, the assumed deficiency in the harvest of last year has not led to a diminished consumption of malting barley. We have a higher price, and an increased consumption,—why then disturb the tax? And what ground have you for hoping that barley, subject to the tax, being very high, and wheat subject to no tax being very low, the removal of the tax on barley will insure a rise in the price of wheat?

In discussing the present question I have no desire to make any appeal to the fears or passions of the House, or to refer to any topic calculated unduly or unfairly to influence the House in its view of the present question. I will willingly deprive myself of any such illegitimate advantage, if the House will only consent to give me its patient attention while I strictly confine myself to a statement of facts, and to a review of the arguments, if arguments they can be called, which have been urged in favour of the revision of the Malt-tax. That the agricultural interest has the first claim to your consideration I readily admit; that its present depressed state is a subject of deep anxiety, and calls for your warmest sympathy, I am the foremost to acknowledge; but it is the part of a true friend not to permit his reason and judgment to be overpowered by his feelings, but to consider dispassionately whether real relief will be afforded by a specious proposal. The advocates for the Repeal of the Malt-tax contend that there exists no other means of relieving the agricultural interest except by repealing the duty; and it is prophesied that many collateral advantages will result from the Repeal of the tax. Matters of prophecy are of course matters of uncertainty; but I am anxious to ascertain, by the aid of past experience, what probability there exists of the realization of the prophecies to which I allude.

In the first place, it is stated, that a great diminution in the consumption of malt is produced by the operation of the tax; and that if the quantity of malt and beer consumed in recent years is compared with the quantity consumed at an earlier period in the history of this country, it will be found (to use the words of the hon. Member, Mr. Handley) that the consumption of the old national beverage of this kingdom has greatly diminished. I am ready to admit that, in proportion to the population, the quantity of beer consumed at present has diminished, as compared with the quantity consumed at an early period of the last century. But the question is not as to the fact, but as to the cause of it. Does that diminution arise from the operation of the duty on malt, or from the competition of other articles, which have come into general use in this country? The hon. Gentleman who seconded the Motion, has drawn rather a singular inference from the increased consumption of these articles. He has expressed his surprise at finding that, while the consumption of beer in proportion to the population has diminished, the consumption of tea, coffee, and spirits has increased. Now I had intended to refer to the increase of the consumption of those articles for the very purpose of accounting for the decrease in the consumption of beer, but it seems that that fact had led the hon. Gentleman (Mr. Handley) to a conclusion quite opposite to that which it produces in my mind. The hon. Gentleman exclaimed, "You see the people of this country drink vastly more tea, more coffee, and more spirits than formerly. Why then," he asks in a tone of great surprise, mixed with much triumph, "do they not drink more beer also?" My reply is, because they consume more spirits, tea, and coffee. It is owing to a change in our national habits, and not to the operation of the duty, that the diminution in the consumption of malt is attributable. I will state the case in the manner which the hon. Gentleman will admit to be the most unfavourable to myself. I will select the year in the last century, in which, of all others, the consumption of beer in proportion to the drinkers of beer was the greatest. That year was the year 1722. In 1722, the population amounted to about 6,000,000, and the number of barrels of beer consumed, as stated in the returns, was about the same, nearly 6,000,000, being in the proportion of one barrel to each person. In 1833, the population amounted to 14,000,000, and the average annual consumption for the last three years preceding the Repeal of the Beer-duty amounted to no more than 8,200,000 barrels. Now I give the hon. Gentleman the full advantage of these facts, and of any conclusions he may draw from them. The hon. gentleman would, no doubt, contend that this lamentable falling off in the drinking of beer, arises from the tax, and the tax alone. I, on the other hand, must argue, that the deficiency arises from altered habits, from new tastes, and consequently the increased consumption of other articles. It is very important to examine this matter a little more in detail. In 1722, the total quantity of tea consumed in this country did not exceed 370,000 lbs., or about an ounce to each person. In 1833, the quantity of tea consumed amounted to 31,829,000lbs., being about two pounds and a quarter to each person. The use of tea has in fact superseded, to a great extent, the use of beer among all classes of the community. In like manner, the consumption of spirits has increased also. The hon. Gentleman (Mr. Handley) may say that he deprecates the increased use of spirits; but he would find it quite impossible, let him propose what regulations he would, to prevent their consumption. The hon. Gentleman might increase the duty on spirits; and he might flatter himself that he was diminishing their consumption, while he would, in fact, be only lessening the revenue which they produced. In 1722, there was about 3,000,000 gallons of spirits consumed, which gave a proportion to each individual of about half a gallon. In 1833, 12,332,000 gallons, being at the rate to each person of six-sevenths of a gallon. An extraordinary increase has also taken place in the consumption of coffee. With respect to that article, there are no accurate returns previous to 1760. In that year, however, the quantity of coffee consumed was not more than 262,000 lbs., or three quarters of an ounce to each person. In 1833, the consumption of coffee had increased to 20,691,000 lbs., or nearly one pound and a half to each person. With these returns before me, I cannot help arriving at conclusions, the opposite of those to which the hon. Gentleman arrived, that the increased consumption of the three articles I have mentioned, viz. tea, coffee, and spirits, accounts for the decreased consumption of beer; that you cannot expect those who drink three times the quantity of other beverages, to drink, on that very account, a greater quantity of beer; that you cannot have an immensely increased revenue from tea, from coffee, and from spirits, and also a corresponding increase in the revenue derived from the article which they displaced; and lastly, that, so far as morality is concerned, no very great advantage would be gained by discountenancing the use of tea and coffee for the purpose of substituting beer in their place.

The hon. Gentleman (Mr. Handley) seems to think that the use of tea and coffee is unfairly encouraged, and that their consumption is increased in consequence of the duty on those articles being lower than that which is applied to beer. He calls out for justice to the old national beverage, and demands that it should not be sacrificed to the undue favour that is shown to the articles of foreign extraction. But it is better to appeal, in matters of this kind, to figures and facts, than to the passions and feelings of the audience, and, instead of being pathetic, calmly to inquire, whether the rate per cent of the duty levied on barley, compared with the prime cost of this article, is so much higher than the corresponding rates on the other articles that compete with beer. The duty on malt is 2*s.* 7*d.*, per bushel, or about fifty-seven per cent on the price of the article:

The duty on other articles of general consumption, compared with the cost price, is as follows:

	Rate of Duty.	Rate per Cent. on Market Prices.
On Port and Sherry	5*s.* 6*d.* gall.	85
Coffee, West India	6*d.* lb.	63
Ditto, East India	9*d.* lb.	106
Tea		100
English Spirits	7*s.* 6*d.* gall.	333
Rum	9*s.* 6*d.* gall.	407
Brandy	22*s.* 6*d.* gall.	627
Geneva		930

Such are the facts of the case, and I will ask the hon. Gentleman, whether the increased consumption of the several articles I have named can justly be attributed to any favour shown to them in the amount of duty as compared with that upon beer.

I shall proceed in the review of each of the several allegations and arguments of the noble mover and seconder of the Motion. I wish to omit none of them; but calmly to submit each to the test of accurate inquiry and fair reasoning. The noble Lord and the hon. Gentleman have observed, that the House ought not to estimate the gain which would accrue to the consumer from the reduction of the duty on malt solely by the amount of that duty: for, that there are some enormous profits made by the maltsters, in which, as soon as the Malt-duty should be repealed, the public would fully participate. The Malt-duty is 20*s.* 8*d.* per quarter, and the total amount received by the Exchequer is no more than 5,000,000*l.*; but, according to the statement of the noble Lord, a sum of 16,000,000*l.* apart from the duty, finds its way by some mysterious process into the hands of the maltsters, and is divided among them. I certainly do not pretend to understand whence this sum of 16,000,000*l.* comes, or the proportion in which it is divided among the happy maltsters; but, I will ask, is it credible that in this country, and in an open trade, such extravagant profits can be made by the manufacturers of malt? Is it credible that while the whole amount of revenue received by the Government on account of malt does not exceed 5,000,000*l.* the public is burthened with an additional charge of 16,000,000*l.* which goes into the pockets of the parties by whom that article is manufactured? Is it likely that such enormous profits can be made in a trade which is open to all the world? There is, in fact, great competition in the malting trade. The number of maltsters is not less than 14,000; and there is one peculiar circumstance in that trade which will always ensure a great competition—which will draw speculators into this trade who will not, and cannot, enter into other trades. The manufacture of malt is, in fact, carried on in a considerable degree by capital provided by the public. The maltster, by giving bond, is allowed to defer the payment of duty, although he realizes the amount of that duty on the sale of the article, and is enabled thereby to make a fresh purchase of barley. But, it is said the difference between the price of barley and the price of malt is alone sufficient to prove the enormous profit of the maltster. I recollect a calculation on this head, which was made by the hon. Member for Oldham last year. The hon. Member stated the price of barley to be 25*s.* per quarter, and the rate of duty to be 20*s.* 8*d.* per quarter; he, therefore, concluded that the price of a quarter of malt ought to be, independent of the charges of its manufactures, 45*s.* 8*d.* But the hon. Member said, that in point of fact, the quarter of malt cost 66*s.*; so that a clear profit of 19*s.* per quarter, at least, went into the pockets of the maltster. It is well, in discussing any subject, to have the latest information respecting it that can be obtained; and I, therefore, sent this morning to Mark-lane, to learn what is the price of barley, and the price of malt of equal quality; so that I might be able to judge whether the statement respecting the enormous gains made by the maltsters is well-founded. I am informed that the price of good malting-barley in Mark-lane this day is from 36*s.* to 40*s.* per quarter. That is, undoubtedly, a pretty good price for barley, for the article of which, notwithstanding the high price, the consumption has, according to the last returns, increased, instead of having diminished. Adding to the price of the quarter of the best barley, namely, 40*s.*, the amount of the duty on malt, which is 20*s.* 8*d.*, the price of malt, independent of the cost of manufacture, ought to be 60*s.* 8*d.* per quarter. The price of the best malt in Mark-lane is, in fact, 66*s.* per quarter, leaving a difference of 5*s.* 4*d.* between the price of malt and the price of barley, increased by the amount of the duty. Now, I do not think that after deducting the actual expenses of malting from the sum of 5*s.* 4*d.* any such profit would remain to the maltsters as would enable them to divide that mysterious gain of 16,000,000*l.*, which the noble Marquess has assigned to them.

The noble Marquess (Marquess of Chandos) and the hon. Member (Mr. Handley) have spoken of the advantages which would result from the remission of the Malt-duty, in consequence of the facility which would thereby be afforded to the farmer of malting his inferior barley, not for the purpose of making beer, but of feeding his cattle. Now, I have the satisfaction of being able to inform my noble Friend that this object is in a great measure effected by an order of the Board of Excise, which I am anxious to make public, and which I regret has not been sufficiently known before. I apprehend, that it is not necessary that barley, for the purpose of rendering it suitable for feeding cattle, should undergo the process of malting. I understand, that if the barley be steeped and afterwards dried, all those saccharine qualities which make barley peculiarly useful as food for cattle will be developed. I believe, that the hon. Gentleman (Mr. Handley) has stated, that it would be highly advantageous to the farmer to be enabled, not to malt, but to steep his barley for that purpose. I certainly do not credit the assertion, that two bushels of malt equal in nutritive quality three bushels of barley. [Mr. *Cobbett:* More nutriment is contained in two bushels of malt than in three bushels of barley.] I do not think such an assertion is correct. I know that two bushels of malt will not produce the same quantity of spirit as two bushels of raw barley; and I therefore, cannot, understand how it is possible for the former to contain fifty per cent more of nutritive quality than the latter. I will now read the order of the Board of Excise to which I have already alluded, and to which I desire that the greatest publicity may be given. It is in the following terms:—"The practice of steeping barley in water to prepare it as food for cattle having become prevalent, and as the revenue may be injured by the application thereof to other purposes,—ordered that the respective supervisors and officers endeavour to ascertain the parties who carry on this practice within their several districts, and their manner of disposing of the corn so steeped; but that no interruption whatever be given thereto, except upon actual proof or well-grounded suspicion of fraud. Particular attention must be paid to the situation of the premises where the corn may be steeped, with respect to any kiln or oven upon, or in, which it could be dried, as well as to the proportion which the quantities of barley steeped bear to the number of horses or other cattle to be fed therewith; and if any suspicious circumstances shall be discovered, the matter must be fully investigated, and the particulars stated to the Board."

It will be seen that the object of this order certainly is not to permit the malting of barley, but to afford every facility to the farmer to prepare that article for the purpose of feeding his cattle, which is consistent with the safety of the revenue.

One favourite argument in favour of the Repeal of the Malt-duty is, that it will encourage the poor man to brew his own beer. The arguments by which it is attempted to support that assertion appear to me exceedingly fallacious. What inducement can the poor man have to brew his own beer which he does not possess at the present moment? Why should he not at present buy his malt, and with that brew as much beer as he needs for his own consumption? The hon. Member for Oldham argued, that in consequence of the high price of malt, and the large profits of the maltsters, it is quite impossible for the poor man to buy malt in retail, but, that if you Repeal the Malt-duty every man will be his own maltster. But, supposing that the malt-duty were repealed, would the poor man then be in a better condition to compete with the great maltster? Would the poor man in his small cottage, and with his limited means, be then better able to compete with the great maltsters with extensive capital, great skill, great experience; and with buildings and floors, and cisterns and kilns, all suited for the purpose of making malt on a large scale? If not, what greater temptation would he have to brew than he has at present? Oh, it will be said, he will be relieved from the duty, and will not the regular maltster be relieved from it also? How will their relative position be altered? How will the means of the maltster to manufacture an article of equal quality at a less price be diminished? What gain is it to the poor man to be able to manufacture a bad article at a high cost? But again, if the poor man is so much disposed to brew his own beer, how is it that he did not do so previous to the Repeal of the duty on Beer? At that time a very heavy duty per barrel attached to the great brewer, which the poor man, who chose to brew in his own cottage, was not called on to pay. But if the poor man did not then brew his own beer, having that advantage, why should it be supposed that he would do so should the Malt-duty be repealed, when he certainly will not have an advantage equal to that which he had then? The hon. Gentleman (Mr. Handley) has said a great deal against the beer-shops, and, like many others, who are warm panegyrists of what they call our old national beverage, seems to think that if beer be drunk in beer-shops, all its salutary qualities vanish at once. He has come to the conclusion that beer is a noxious fluid unless it is drunk by labouring men in their own houses after having been brewed by their own hands. But I intreat the House not to consent to the loss of 5,000,000*l.* of revenue, under the delusive expectation, that encouragement will thereby be given to the agricultural labourers to brew their beer and drink their beer in their own cottages. The same reason which induces them to go to the beer-shop at present will continue to operate after the Repeal of the Malt-duty. At this moment, if the labouring man purchases his beer at the public-house and takes it away to drink at his own house, he may have the beer at a reduced rate. There is a considerable difference between the price of a pot of beer purchased at the public-house and carried away, and the price which is charged to a man who sits down and consumes a pot beside a fire in the public-house. Notwithstanding this difference of charge, there is, however, something in the charm of a good fire and of good company, which tempts the labourer to pay an additional penny for his pot of beer. And after the Repeal of the Malt-duty, which will not reduce the price of the pot of beer more than a half-penny, I believe that the same temptation will still exist, and that the public-house, the natural love of society—the harmless, I must say, enjoyment of it, if not carried to excess, will be preferred to the solitary pot of beer brewed by bad brewers with bad utensils from bad materials. Let not the House, then hazard a large amount of revenue for the sake of creating a small reduction in the price of a pot of beer, which after all will not be attended with the effect anticipated by its advocates.

The hon .Gentleman (Mr. Handley) has spoken about the possibility of finding substitutes for the Malt-tax, but he has only mentioned a few of these substitutes. This is undoubtedly very prudent on the part of the hon. Member, especially when the fate which has attended the Member for Lincolnshire, the late Sir W. Ingilby —I mean to say, the late Chancellor of the Exchequer, for that was the character assumed by the hon. Baronet—is taken into consideration. The fate of that hon. Baronet, according to the hon. Gentleman, (Mr. Handley) is a warning to all hon. Members against appearing in the assumed part of Chancellor of the Exchequer. That hon. Baronet, it appears had made a most popular Motion on the subject of the Malt-duty, by which he conciliated all the advocates of the repeal of the tax. However, he unfortunately thought it necessary to suggest a few substitutes in the place of the Malt-tax, which destroyed all the popularity which his Motion for the repeal of that tax had gained for him, and cost him his seat in Parliament. He lost his election even for an agricultural county. Such was the odium he excited by his praise-worthy efforts to discover substitutes. I, then, ask the agricultural Members to take warning by this, and to reflect, that, if the modest suggestion of new taxes cost Sir W. Ingilby his seat for a most agricultural county—what will become of their seats if they have mixed constituencies, and actually vote for the new taxes that must be proposed? I will ask them this question—Granted that there would be an advantage to agriculture in this Repeal of the Malt-tax, would that advantage be general or not? What description of agriculture, let me ask, is distressed? Are the light barley lands suffering most at the present moment, or the pasture lands, and the clay lands which grow wheat? Is it not notorious that the clay lands growing wheat are the description of land which, at the present moment, is suffering under the greatest depression? The only effect of repealing the Malt-duty will be to force the clay lands into an unnatural cultivation, and the owners will be induced, instead of growing wheat, to try the expensive cultivation of barley on unsuitable land. Supposing that the available surplus of the revenue could be applied to the remission of the county-rates, or to those local charges to which all land is subject, would not the advantage resulting from that remission be more equally distributed over the whole land than a reduction to the same amount of the duty on malt? The noble Lord and the hon. Gentlemen opposite, propose to give the whole advantage of the remission of the Malt-duty to the barley growers, though that class of agriculturists are, of all, the least distressed.

I am conceding, for the sake of the argument, that the barley grower is to be greatly benefitted by the Repeal of the Malt-duty, but I cannot help thinking that, if the present Motion succeeds, the barley interest itself will suffer more injury than many hon. Gentlemen are, perhaps, aware of. By allowing the maltsters to give security for the amount of duty, and suspending for a time its payment, a capital belonging to the public, amounting to about 3,000,000*l.*, may be said to be lent them for the purpose of carrying on trade. In consequence of this practice, individuals with small capital are enabled to engage in the manufacture of malt. If, however, the duty were repealed, this advantage given to small capitalists would be withdrawn, the public money, applied as so much additional capital in the purchase of barley would be withdrawn also, and the result, quite opposite to that expected by the advocates of the Repeal of the duty, must inevitably be, that the malting trade would be much more monopolized than at present by a few large capitalists. It is taken for granted, that increased consumption of malt must follow diminished duty. This may be so for the future, but it certainly has not been so for the past. There are some striking proofs in the history of the Malt-duty to show that the consumption of malt is influenced much more by seasons, and other circumstances, than by the rate of duty. In 1816, the duty was 4*s.* 6*d.* per bushel. The average consumption of the two preceding years was 25,500,000 bushels. You reduced the duty in 1816 from 4*s.* 6*d.* to 2*s.* 6*d.* Was there a great increase of consumption? By no means. The average consumption of the two following years, that is, under the reduced duty, was only 22,700,000 bushels, a falling off of nearly 3,000,000 of bushels, instead of an increase. You raised the duty, in 1819, to 3*s.* 7*d.*, and the average consumption of the two following years was 25,000,000 bushels, an increased consumption under an increased duty.

I wish to call the attention of the House, and particularly of the agriculturists, to another and very serious risk they will incur from the total Repeal of the Malt-duty. My noble Friend said, that if the Malt-tax were taken off, there would be a great increase in the consumption of beer. Now I have an impression that the very contrary effect would be produced by the removal of the tax. I am greatly afraid, that the direct consequence would be to promote illicit distillation to an almost incalculable extent, and thereby proportionately to diminish the use of beer. My reason for thinking so, is this. It is no difficult matter to prevent, by the vigilance of the Excise, the illicit malting of barley. The process is a dilatory one, and it is not easy to avoid the exposure of the article for the purpose of drying it and preparing it for use. But the process by which illicit spirits are distilled from the barley after it has been made into malt, is very easy. Every man, after the Repeal of the Malt-duty, would have a right to make malt. It might be made in every cottage and every hovel without restraint. Does any man believe it to be possible, that security can be taken against the conversion of this malt into spirits, or will it be tolerated that there shall be an universal right of inspection and inquisition on the part of the Excise into every house in the kingdom, in order to prevent a fraud on the revenue so easily practised as the conversion of malt into spirits? The result, then, would be, not as my noble Friend anticipates, an increase in the consumption of beer, but a positive reduction in the revenue, produced by loss of duty on spirits, and a great increase in the amount of illicit distillation. For these reasons, then, I am of opinion, that the benefits which are looked for from the Repeal of the Malt-tax will not follow its removal, and surely, unless some almost inestimable advantage is clearly shown to be the necessary consequence of its immediate repeal, hon. Members ought to pause before they give their votes in favour of a measure which strikes at nearly one-third of the disposable revenue of the country.

But what course is the House to pursue when they have adopted the resolution of my noble Friend? My noble Friend has, indeed, declared his intention, when the House shall have sanctioned the principle which his resolution embodies, to bring in a bill to settle all the details. But has my noble Friend calculated the embarrassment and confusion into which trade will be thrown in the meanwhile, and in what uncertainty the whole of the Malt-trade, and of the agricultural interest dependent on it, will be placed by his resolution? What brewer would purchase a bushel of malt while he saw matters in this state? I would undertake to say, that malt would suffer an immediate depreciation of 4*s.* or 5*s.* the quarter, for the House may rely upon it, that if hopes were held out to the public that the Malt-tax should be no longer paid after the 10th of October, 1836, no man, except for immediate use, would make his malt or brew his beer, till he could do both without being subject to a duty.

Supposing, however, that the House, in spite of all argument to the contrary, is determined to vote in favour of my noble Friend's resolution, what other measures is it prepared to adopt? I will assume for the present that the House is resolved to supply the deficiency that will be created by the repeal. You must hope to do this in one of three methods. You may increase the duties imposed on other articles of consumption, or you may resort to a Property-tax, or you may demand a corresponding reduction of the estimates. I can assure hon. Members that I feel no pleasure in witnessing improvident expenditure, and that I have no interest to serve in maintaining the present amount of the public burthens; but I will ask any man in this House, whether he conscientiously believes that, looking to the reductions in the estimates which were made by Lord Althorp in the last year, and the further reduction made by myself in the present year, to the amount of 500,000*l.*,—whether, looking at this, it is possible to make any, even the most trifling reduction in the estimates? But, at any rate, if any reduction is to be effected, let the question of such reduction be looked at abstractedly with reference to its own merits, and not with a view to substitute the sum thus saved for the produce of the Malt-tax. But I cannot persuade myself that any man, bearing in mind the reductions which have been made, and the demands of the West-India proprietors on the public purse, can hope to replace the 4,800,000*l.* which the Malt-tax furnishes, consistently with the maintenance of the public honour, and regard to the interests of the country, by any considerable reduction in the sums voted for the public service. But the money must be obtained from some source. I will, however, caution those Gentlemen who look for a substitute for the Malt-tax in an increased duty on other articles of consumption, against hoping that an increased duty either on wine, or spirits, or beer, will lay the foundation of a large permanent addition to the revenue of the country. First, as to spirits; of what benefit will it be to the agricultural interest that a heavier tax should be laid upon spirits? What are they made from? They are distilled from corn. If an additional tax of 1*s.* a-gallon were to be imposed on spirits, it would be equivalent to laying a tax of 16*s.* a quarter on malt. I believe that from a bushel of barley can be obtained two gallons of spirits, and thus there will be laid a tax of 16*s.* a-quarter on barley, and that too on the poorest description of barley. But there are other considerations which affect this question. In the course of last Session Parliament enacted, that there should be a reduction of the duty on spirits in Ireland, and yet some hon. Members are now favourable to the project of increasing the duty on Irish spirits. Now, this unsteadiness of purpose, this constant vacillation, is the unwisest course that can be adopted by a legislative assembly. In the course of last Session the duty on Irish spirits was lowered from 3*s.* 4*d.* to 2*s.* 4*d.* a-gallon, yet it is now in contemplation to increase the duty. Perhaps, however, this objection may be met by a proposition to raise the duty on spirits in England only, leaving Ireland subject to the present rate of duty. But surely the difference of duty between English and Irish spirits is already sufficiently great. Surely, it will not be wise to increase the present rate of duty in England — namely, 7*s.* 6*d.*; leaving Ireland subject only to a duty of 2*s.* 4*d.* Such an unequal rate of taxation will offer a temptation to smuggling, too strong to be resisted. It is impossible, but that with so large a bonus thus held out to the unfair trader, he would fully avail himself of the advantage which the Legislature would afford him. But you may propose to tax Ireland and England in this respect in the same proportions, and to increase the duty in Ireland as well as in England. First, let us ascertain what has been the result of the reduction of duty on spirits in Ireland. I have this morning received an account, from which it appears that on a comparison of the last four months with the corresponding period of last year, 1,000,000 gallons more spirits had been brought to charge. With the knowledge I possess of this fact, I hope to be excused for asking whether the hon. Members who advocate the increase of the duty on spirits are quite sure they would raise the revenue by that method of taxation? But this is not the only danger. If by increasing the duty on legal spirits, you hold out a premium to illicit distillation, that distillation will not necessarily take place from grain. The farmer must not flatter himself that he will find an increased demand for agricultural produce from the illicit trader. If you encourage by high duties, a fraudulent manufacture of spirits, the article employed will be not grain but molasses, on account of the greater facillity in the process of conversion into spirit, and the readier means of escaping detection. No one denies that spirits are a fair subject of taxation, of taxation to the highest point that is consistent with the collection of revenue. But this should never be forgotten, that the discoveries in science, and improvement in chemical apparatus, increase the facilities of fraud more rapidly than the facilities of detection. At this very moment illicit distillation of spirits is carried on in large towns to an extent which we had better not encourage by any considerable increase of duty on the legal supply. I hope I have satisfactorily shown, that by attempting to make an addition to the duty on spirits, there is considerable risk, that, at the same time, you will benefit no one interest, you will injure agriculture, and will ruin the revenue.

I now come to the third substitute proposed for the Malt-tax—namely, a Property-tax. Under circumstances not dissimilar to the present, excepting that the late Chancellor of the Exchequer had then at his disposal an available surplus of 1,500,000*l.*, it was proposed to Repeal half the Malt-tax and the House and Window-tax, amounting in the whole to 5,000,000*l.* sterling. The House then determined by a very large majority, that such a deficit could only be supplied by the imposition of a Property-tax. Now my prophecy is, that you will make that tax necessary—to that you must come at last if you Repeal the Malt-tax. You will try your taxes on articles of general consumption, on tobacco, and spirits, and wine, and you will meet with a storm which will make you hastily recede from your first advances towards a substitute. To a Property-tax, then, you must come; and, I congratulate you, Gentlemen of the landed interest, on finding yourselves relieved from the pressure of the Malt-tax, and falling on a good comfortable Property-tax, with a proposal, probably, for a graduated scale. And you, who represent the heavy land of this country—the clay soil—the soil unfit for barley, I felicitate you on the prospect which lies before you. If you believe that the substitute will be advantageous to your interests, be it so, but do not, when you hereafter find out your mistake, lay the blame upon those who offered you a timely warning, and cautioned you against exchanging the light pressure of a Malt-duty for the scourge of a Property-tax. My noble Friend (the Marquess of Chandos) has made some calculations to which I hesitate to subscribe; certainly, I think he has made a mistake in some of his figures. My noble Friend has calculated, that the extent of advantage which will accrue by the Repeal of the duty on Malt, to a farmer occupying a farm of 250 acres, will amount to between 70*l.* and 80*l.* a-year. Now I have certainly never heard so favourable an account as this of the present state of agriculture, that a farmer of land of that number of acres consumed so much beer as to make that difference to him in a single year. I believe that the average quantity of beer consumed on a farm of 300 acres is about 100 hogsheads a-year, and yet if my noble Friend's calculations are correct, the occupier must consume something like 500 or 600. But I will resume at the point from which I broke off. I have been diverted from the consideration of the manner in which a Property-tax would operate as a substitute for the Malt-duty. The hon. and learned Member for Ireland—I mean for Dublin—in reference to the imposition of a Property-tax, said on a former occasion, that if it was to be laid on, it ought to affect all his Majesty's subjects equally, and certainly, this was no more than justice. I beg, then, the Representatives of Ireland to consider what will be their situation if they vote for the Repeal of the Duty on Malt. It would be infinitely worse even than that of the occupiers of clay soils in England. Ireland pays at present but 240,000*l.* out of the 4,800,000*l.* which the Malt-tax produces, and it would be a great hardship to Ireland to have a Property-tax imposed upon her as a countervailing substitute for her moderate proportion of the Malt-tax. They may depend upon it, however, that a Property-tax is inevitable if the Malt-tax is repealed, and the attempt, I will not say, to levy that tax, if imposed—for I must presume the people of Ireland would obey the laws—but to impose the tax in this House would be a fruitless undertaking.

I now come to the fourth alternative. That is, to make a deficit and do nothing else; and I am afraid there are many Members who, when it comes to the trial, will, (professing no doubt much reluctance) make up their minds to act in that manner—who, upon the whole, will prefer the plan of a large deficit, and no substitute. The hon. Member (Mr. Handley) has recommended a small loan, but why not a large one? Why hesitate about the amount of new debt in time of peace, if once you affirm the principle? The hon. Gentleman indeed offered the security. "Sell the Crown lands," he says; "exact the uttermost farthing from the Crown lessees." This is the first time I have heard the complaint, that the Crown is too indulgent a landlord, or that the Crown lands afford the means of a large permanent increase to the revenue.

This, after all, is the great question to be resolved by this night's debate.—Shall we maintain the public honour, or shall we enter on the disgraceful course of deficit, and the suspension of payment, and the breach of national engagements? Has honesty been bad policy? Have you suffered pecuniary loss from being honest? Is it not a fact, that by keeping up the value of the public securities, and faithfully performing the national engagements, the Government of the country has been enabled, since the year 1822, to reduce the annual interest of the Public Debt to the amount of 2,350,000*l.* If you continue to pursue the same course you will derive the same advantages. You have a Debt of 250,000,000*l.* in the three and a-half per cents alone, which you may hope to redeem at no distant period. You have the experience of the benefits of good faith, not only in point of character, but of substantial gain; but if you are careless to secure the honour of England, and maintain the national credit, you will simultaneously forfeit a good name, and dry up the sources of future and of honourable economy. I hope the House will not enter on the tortuous path of contradiction and vacillation, into which this Motion would force it. I warn you not to forget, that on this very Question of the Malt-tax, you have, on three different occasions, retraced your steps. In the year 1816, the House of Commons took off a part of the Malt-tax, but found themselves obliged to put it on again in 1819. In March, 1821, the House, by a small majority, repealed the tax, but in one month after, in the following April, they were obliged to rescind this vote, the offspring of their hasty legislation. In the year 1833, the House, in a moment of delusion at the prospect of the advantages expected from the remission of this tax, resolved that it should be partly repealed, but on reflection they found it necessary to rescind on the Monday the Resolution to which they had come on the previous Friday, and passed a counter Resolution in the following words:—"Resolved, that the deficiency in the revenue which would be occasioned by the reduction of the tax on malt to 10*s.* the quarter, and the Repeal of the tax on houses and windows, could only be supplied by the substitution of a general tax upon property and income, and an extensive change in our whole financial system, which would at present be inexpedient." If, then, a majority of the House should agree to the Motion of my noble Friend, and if they shrink hereafter from the dishonesty of a deficit, there will be no other safe alternative but retractation and repentance, and the replacing of this Malt-tax. It is my desire to rescue Parliament from the charge of vacillation and inconsistency, from the shame, the certain shame of rescinding an unwise and hasty vote, that I respectfully, but most earnestly counsel you not to take the first step in ways which lead to dishonour.

I have been told, that there is no hope of preserving the Malt-tax, that there are so many Members pledged to their constituents to Repeal the Malt-duty, that they cannot help themselves, and must vote in favour of its abolition. But my uniform answer has been, that I never would believe that public men, invested with a sacred trust, had committed themselves irrevocably beforehand, that they would refuse to listen to discussion, and give a vote against evidence, against conviction, against conscience. I have paid them the willing compliment of trusting in their integrity and wisdom, and have rejected the odious imputation, that they would sacrifice the real interests of their constituents and their country, for the mere purpose of satisfying an impatient clamour, or redeeming pledges which must have been conditional, that the redemption of such pledges would *bonâ fide* serve the parties to whom they had been given. I have a full assurance, thst the vote of to-night will prove that my confidence in the House of Commons has not been misplaced; but, be that as it may, my own course is clear: I am bound to give that advice which appears to my judgment the best, and to leave those who reject it, responsible for all the consequences of a rash and unwise decision.

Mr. *Cobbett* rose to address the House. The hon. Gentleman urged the House not to be deterred, by the intimation that the right hon. Gentleman would resign were he left in a minority on this question, from giving their support to the Motion of the noble Lord. [The hon. Member in attempting to proceed, found that his voice was so hoarse that he could not make the persons sitting on the opposite side of the Table hear, and he therefore sat down.]

Lord *Norreys* said, that having voted in favour of Sir William Ingilby's Motion last Session he was anxious to state briefly the grounds on which he proposed to give his support to the right hon. Baronet on the present occasion. In the first place, upon a review of the circumstances under which those Motions were brought forward he found them totally and entirely different. Last year the Chancellor of the Exchequer came down to the House, and after stating, that a large surplus revenue rendered a reduction of taxation to a large amount practicable left it to the House to say which branch of taxation should be reduced. Upon this, Sir William Ingilby moved for a Committee to inquire how far a partial or total Repeal of the Malt-tax was practicable, and as the landed interest at the time stood much in need of relief he voted for that Committee, in the hope that it might recommend the surplus revenue to be applied to that purpose. The motion of Sir William Ingilby was in the end defeated, but he believed he was justified in saying that the scanty relief the agricultural interest did receive, was attributable to its being mooted. But what, on the other hand, were the circumstances of the case at the present moment? There was a new Government, just come into office, with every disposition to be friendly to the agricultural interest, and immediately the noble Lord pounced upon them, and, apparently forgetting that there was not now the same surplus revenue to deal with, asked, not even for a partial, but a total repeal of the tax. But supposing the Government to comply with his demand, the question was, would not the tax which it would be necessary in the present state of the revenue to substitute, prove as burthensome and oppressive to the landed interest, as the Malt-tax? Looking at the constitution of the House, and recollecting the preponderance of representation enjoyed by the manufacturing over the agricultural interest, he confessed he much doubted whether the majority would consent to the imposition of any tax less oppressive on the latter, than the one now sought to be removed. Many who were prepared to support the noble Lord's Motion for the Repeal of this tax were not friendly to the landed interest, but, he believed, would be the first to turn on the noble Lord, and make the Repeal of the Malt-tax an additional argument for the Repeal of the Corn-laws. But, apart from these considerations, he much regretted the noble Lord should have, at the present period, brought forward this Motion. The Session was as yet young—the Ministry were scarcely settled in their places; and, as a motion of the greatest importance to their continuance in office, was fixed for the 23rd instant, they ought not, he thought, to have been embarrassed by the present discussion. If ever there was a time when it was necessary there should be union among the friends of the Government that time was the present; and, as the postponement of the question for a few weeks would, without in the slightest degree prejudicing it, have given time to his Majesty's Government to look around, he did much regret that the noble Lord had brought it forward. Allowances should be made for the difficult circumstances in which the Government was placed, and that support should be given to it which Ministers of the Crown, who had just entered into office, had a right to expect from the House. If they were to be embarrassed in this manner by their own friends, the task of Government, which was difficult at all times, being peculiarly so on the present occasion, it would be impossible for them to conduct the affairs of the nation; and he viewed the dissolution of the present Cabinet as the most fatal blow that the landed interest could receive. After the withdrawal of Earl Grey and Lord Stanley from the former Administration, it was impossible that they could be looked to by the landed interest for protection, and could not be expected to protect it, should they again be called to office. He had no hesitation, therefore, in saying, that he believed he should best support the landed interest in the vote he should give against the Motion, because he considered that the prospect of relief held out to the landed interest by the Repeal of the duty was grossly exaggerated; because he considered that no tax, constituted as the House was, which might be proposed as a substitute, would be less burdensome; and further, because he believed that if Ministers resigned, their places would be supplied by those who were disposed to bring forward measures subversive of the landed interest, and of the best institutions of the country.

Mr. *Benett* said, the right hon. Baronet had made a very affecting appeal to the Irish and Scotch Members of that House, although not to the English. He said, the Scotch and Irish were not taxed equally with the English, and that if a property-tax were imposed upon them equal to that upon the English, their burthen would be much greater than it was at present. He was not about to complain of the present inequality of taxation between the Scotch and Irish and the English, but that was not an argument in any view of the case which could have any effect. He had a much higher opinion of the feelings of the Scotch than to suppose that that would be allowed to operate on their minds in the slightest degree. The right hon. Baronet had, however, in another part of his speech, made a somewhat affecting appeal to the English landholders, but which could not be expected to have much weight with them; because, from the time at which that Act passed, which was called by the name of the right hon. Baronet, the English landowners had been so depressed in their circumstances, that they could not fear a Property-tax. The property was not in them, but in the hands of money-jobbers. It was in the hands of mortgagees, and of those who had been heretofore tax-eaters, not tax-payers. So that a Property-tax, or a threat of a Property-tax, could not very seriously frighten the English landowners. The question of Property-tax, in his opinion, was one of greater moment than that of the Malt-tax. It was one which the House must very shortly come to. The only equitable mode of proceeding would be, to apportion taxation according to the property individuals possessed. The object of all taxation in this country, was the protection of property; but instead of making persons pay equitably for that protection, the present system was to make men pay according to consumption, and not according to the proportion of property possessed. The question, then, of a Property-tax, would have to come shortly before the House, as it had already forced itself on the consideration of the country. He was not a Chancellor of the Exchequer, and God forbid that he ever should be; but he was prepared to contend that there were ways whereby the reduction of this 4,500,000*l.* of taxation might be met. When hon. Gentlemen came to look at the whole amount of the receipts and expenditure of this country, it was not so large a sum but that they must suppose it could be all most easily met. The right hon. Baronet had said, that if a tax were put upon spirits in consideration of the reduction of the Malt-tax to the amount of 1*s.* per gallon, the consequence would be a great encouragement to illicit distillation; but the right. hon. Baronet forgot at the same time to state, that the reduction of the Malt-tax would relieve the ingredients used in the production of spirits of a much greater amount than 1*s.* per gallon. It could not be, therefore, that taking off the Malt-tax, and imposing an additional shilling on spirits, would encourage illicit distillation, for by that, the ingredients out of which spirits were made would be reduced in price to the amount of 2*s.* Again, the right. hon. Baronet had talked of the different qualities of land, and the comparative average of the quantities of wheat and barley that were grown; but he (Mr. Benett) was of opinion, that if the Malt-tax were repealed, there would be an increase of the growth of wheat on clay soil; where wheat was grown at present in great abundance, there would be a decrease of wheat, and a greater growth of barley, consequently a better price would be obtained for wheat. The right hon. Baronet had said, he did not believe it would be of much advantage to landowners in the country to have this tax repealed. He could tell the right hon. Baronet that it would be of great importance to the landowners that their labourers should be able to consume beer for ten months in the year instead of water. Taking the ordinary consumption of a man's family to be one gallon per day, it might be said the duty he had to pay came to 2*d.* per day—that was 1*s.* 2*d.* a-week, which dipped very deeply into the poor man's income. In the West of England (the part of the country from which he came) the average amount of a labourer's wages was 7*s.* per week, and the 1*s.* 2*d.* which he had to pay in the Malt-tax was just about 18 per cent. which he had to pay to the State out of his whole income. Surely this was what required alteration. The right hon. Baronet had made a statement respecting the prices of wheat and barley which was not quite correct. He had talked of barley being at a very high price, and wheat very low; and then asked, why take off the Malt-tax for the sake of raising the price of barley? If the right hon. Gentleman had gone a little further in his inquiries, he would have found that the barley crop had not exceeded last year half its average quantum, and that the present high price arose from that circumstance. The consumption of last year had been drawn from former crops, and that proved that the consumption of barley was for the rich, and not for the poor; to the poor it was matter of necessity, and not of luxury. The right hon. Baronet had also said, that the consumption of spirits had increased very much; what did that prove? Why, that the poor had been obliged to drink a greater quantity of ardent spirits than they would have done if they had been able to get beer better and cheaper than at present they could procure it. It would be a great satisfaction to the mind to find that the poor man could get good beer cheaper than he could get spirits. The present system likewise of poor men being driven to beer-shops, instead of brewing their own beer at their own houses, was one strong objection to the continuance of the Malt-tax. With respect to what the right hon. Baronet had said about the difficulty of making malt, and that the poor man would find a greater difficulty still in making it, if the tax was taken off, he could only say, that he agreed that the maltster did not at present get too much profit; but if the tax were removed, there would be a greater competition in the making of malt, and it would be got not only good, but at a very low price. Of all the taxes that affected productive industry in his judgment this was the worst. It was not for him to point out ways and means (which he could easily do) of finding a substitute for the reduction of this oppressive tax; but it must be removed, and the poor man must be relieved from it, before there could be any agricultural prosperity in this country. To the poor man it was a matter of the deepest consequence. Whatever the effect of it, or the removal of it might be to the landowner, the consequence to the poor man of having it repealed, outweighed in his mind any consideration affecting the landowner. The poor man was entitled to have this reduction, and for the poor man's right, he for one would ever be found ready to contend. Whatever comfort was given to the agricultural labourer, was eventually given to the farmer; whatever comfort or advantage was given in this respect to the farmer, was eventually given to the landowner; let all these parties, then, be thus intimately united, and the House of Commons could not benefit one, without rendering a service to the others.

The Earl of *Darlington* said, he was rather anxious to address a few observations to the House on this occasion. He was not much in the habit of occupying the attention of hon. Members, but if ever there was an occasion which called for a few remarks from him, this was the one. He would commence by saying, that having had the honour of presenting to the House a petition to-day from the county he represented, as worthy of attention from the great number who had signed it, as from the respectability of the signatures attached to it, signatures comprising those of the great mass of respectable yeomen and farmers in that part of the country, all praying for the Repeal of the Malt-tax—looking at that petition, and considering all the circumstances attending it, he felt it to be his duty to support the Motion of his noble Friend. In adopting this course, after the very able speech that had been made by the Chancellor of the Exchequer, and after the effect which his arguments must have had on many hon. Members, for great weight his arguments always had, he felt fully convinced, that any arguments he could adduce on the other side, would come but with a very bad grace; nevertheless, he had a public duty to perform, and he would state such arguments as occurred to him in defence of the course he was about to pursue, more especially, as he was aware that even amongst some of his old friends he might be subjecting himself to the imputation of either giving a factious vote, or a vote embarrassing to the Government, to whom he was friendly. In the outset, he trusted, however, that he might be allowed to endeavour to set himself right in that respect. With regard to a factious vote, he could assert with confidence that, in the whole course of his Parliamentary life, now a very long one, he had never given a factious vote, nor one approximating to a factious vote—never one at all resembling the two memorable votes which had been recently given within those walls. He could only say that, upon reflection, he had not been able to find out that he had ever given a vote at all approximating to the nature of either of those votes. No doubt a great number of hon. Gentlemen took infinite pains to describe that they were not giving factious votes, and perhaps they might have happened to have made discoveries of that sort satisfactory to their own minds, but still he could assert, he had never given a vote so equivocal as even to leave a doubt as to its real sense and meaning. As to the charge of his wishing to give a vote to embarrass the Government, he could only say, that he not only placed confidence in the Prime Minister, because of his great abilities, which so well qualified him for the responsible office he held, but because of his zealous endeavours to do that which he conceived would be best calculated for the interests of the community. This he was not afraid to confess; he had avowed it before his constituents on the hustings, and why should he not do it there? But he had a public duty to perform; that duty would induce him to vote against the right hon. Baronet in this instance. He could not forget that he stood there as an independent Member, returned by an independent constituency. Personal ambition he had none; private feelings to gratify he had none; he never had, since he enjoyed a seat in that House, a view beyond the interests of his constituents, and the good of the community at large. He would, therefore, now, or at any other time, vote for the Repeal of the Malt-tax or any other tax, without regard to personal feelings, just as he might think that vote might conduce to the people's good. In his opinion, the Malt-tax bore most oppressively upon the agriculturists. With respect to them, they were in such a state of distress that their Representatives were called upon to give them every assistance they possibly could. But it was not upon them alone this tax pressed; it pressed equally hard on the manufacturers, the artisans, and, indeed, all the working classes of society. This was no new opinion of his, it was one he had long entertained. He had voted for the Repeal of the Malt-tax last year, and if he had done so when the question was brought forward in a manner that might have tended to disgust honourable minds, the House would not be surprised that he should pursue the same course this year, the subject having been brought forward in the very able manner in which it now had. He was aware of the manner in which the removal (in round numbers) of 4,500,000*l.* of taxation under one head, would press on the right hon. Baronet. He fully admitted the effect of such a reduction. He did not wish the right hon. Baronet to give up this amount of taxation; but that was no argument why an unjust and impolitic tax should be continued, when others less oppressive had been the subject of modification. Every one knew there was no point upon which popular opinion ran so strong as it did with regard to the Malt-tax; and he had no hesitation in saying, that if Government would only take upon themselves the voluntary resignation of this tax, such a step would tend more to secure them in popular favour, than any course they could pursue. It was not his intention to point out to the Chancellor of the Exchequer what tax he should introduce as a substitute, but if he would put taxation more on the rich and wealthy, to the relief of the distressed, that could not fail to be considered a proper course. He believed the hon. Member for Worcester had given notice of a Motion for some day not very distant, and it might be that hon. Member might have some important suggestion to make; indeed, whatever he might say, it would, no doubt, be well worthy of the attention of Ministers. He considered that the time had arrived when every sort of taxation of an annoying description ought to be removed from the distressed classes of society, and laid upon those who were able to bear them. Although he was ready to admit that after the great amount of taxation which had been removed, there were but few who were not able to pay most of the taxes; yet, if some paid more in proportion to their income than others, the House might depend upon it that, constituted as society now was, very differently to what it formerly was, that would ever be a source of discontent. There were many excisable articles on which the poor man was scarcely aware that he paid any indirect taxation; but he would venture to say, that from the one end of the kingdom to the other, there was not an individual who did not know that he paid his part of the Malt-tax; many, indeed, thought they paid a much larger proportion than they really did. But who were they who were foremost in their demand for the Repeal of the Malt-tax? Was it not the agriculturist, who was at this moment described to be in the greatest distress? Was it not the agriculturist, of all others, that was entitled to the greatest boon the House could give? Who was it that had been the most distinguished for his loyalty in all trying times, the most zealous and decided in his firm adherence to the institutions of the country, and who had done most for the peace and good order of society? It was the agriculturist. If these were facts, which he defied anybody who heard him to deny, he would ask whether it was not demanded of every individual standing in that House as he did, to do something for the amelioration of the condition of the agriculturist? But, as he had said, it was not the agriculturist alone that thus, at this juncture, called for the interference of Parliament, it was the whole of the working classes. There was not a master of a family, not a householder, not a journeyman, not an apprentice, not a servant, not a labourer, who was not a consumer of malt in a greater or less degree. For these reasons, he maintained that Parliament could not take off a tax that would afford more general relief, or give more general satisfaction. Notwithstanding the statements adduced by the right hon. Baronet, the Chancellor of the Exchequer, with respect to the small extent to which private brewing was carried on, he was prepared to show that within the last two years the practice had very materially increased. He did not mean to say, that it was followed up in every little cottage; but small tradesmen of every description, could brew such quantities as they required, with very great facility and advantage, and what did they save? Why, they saved as nearly as possible one-half. The ale sold at the public-house averaged 5*d.* a quart, or 1*s.* 8*d.* a gallon; and allowing twelve gallons of ale to one bushel of malt, that quantity would cost 20*s.*; but if privately brewed, how great was the difference—one bushel of malt cost 7*s.* 6*d.*, the requisite hops 1*s.* 9*d.*, and the expense of the process about 1*s.*, making in all only 10*s.* 3*d.* for the same quantity of a more wholesome and equally strong article. He was quite convinced that if this tax were taken off, still greater temptation would be given to the private brewer. He thanked the House for the indulgence shown him, and having long entertained the opinions he had now expressed, he could not, as an honest man and a faithful Representative, do otherwise than support the Resolution of his noble Friend.

Mr. *Charles Wood* said, that although the noble Lord (Darlington) had given him some temptation, by an allusion to the factious motives, which the noble Lord alleged to have guided the Opposition on previous occasions, he should not enter into the charge, but content himself by simply resting his defence from such an imputation, on the vote he was prepared to give in concurrence with his Majesty's Ministers. In giving that vote, however, he assured the noble Lord, he was not insensible to that distress, which had been described as so prevalent among the agricultural interests of the country. Indeed, deriving, as he did, whatever income he possessed, exclusively from land, he could not be indifferent to any pressure which existed, and which he himself felt, nor unwilling to listen to any proposal, by which in justice and fairness, it could be removed. If, then, he came to a different conclusion in the present instance, and gave his vote against the Repeal of the Malt-tax, it was from no want of sympathy for the interests of the farmer, but because he believed that the benefit which would accrue to him from its remission would be so small, that it could not for a moment, be put in competition with the inconvenience and evils that must inevitably arise from the loss of so large an amount of the public revenue. It was his conviction that all taxes, such as the present, imposed on articles of consumption, were paid mainly by the consumer; and fairly so, unless the tax was so high as materially to diminish the consumption of the article. He could refer, without fear of contradiction, to those details which had been furnished by the Chancellor of the Exchequer to-night, in order to prove that the consumption of beer had not diminished in the country; that the tax, therefore, being as he believed, paid by the consumer of beer, the relief afforded to the agriculturist, by its repeal, would after all be extremely small. He was also ready to concur in a statement, which had already been made, that the relief, such as it was, would be given to that class of the agricultural interests, which least of all stood in need of it. It was perfectly well known, that the grower of wheat was in a state of the greatest distress. The price of barley had already been quoted as equal to that which the hon. Seconder of the present Motion said he had obtained for wheat; and yet it was notorious, that according to the expense of production, the price of barley ought to be only two-thirds of that of wheat. To the agriculturist, then, but little advantage would be given; and that relief which he was as anxious as any one in the House to extend to the working classes of the community, who were, after all, the great consumers of beer, could, in his opinion, be given much more beneficially by taking off other taxes, which either pressed on them in the shape of what was a still greater necessary of life, or on those raw materials which might greatly extend their means of employment, and increase the wages of their labour. But, after all, he could not omit the consideration, which to his mind, was one of the greatest importance, that some substitute must, of necessity, be provided for this tax. He did not conceive it possible, even for the wildest theoretic economist, to suppose that a reduction to the amount of 4,600,000*l.* could be effected in any short period of time. He did not require to go through those substitutes, which the right hon. Gentleman, the Chancellor of the Exchequer, had already so effectually put out of the question. He did not think any one of them was possible; at least, relying on the resolution of the House last year, and which had been referred to, the only possible substitute was a Property-tax. Now to a Property-tax, he was most decidedly opposed; and looking back to the excitement which existed in the country on that subject, in 1816, he confessed himself at a loss to understand the popularity which it seemed now to have acquired. But he could not help thinking, if any proposition for a fair Income-tax were made, those who now were loudest in their call for a Property-tax, would be the first to object to it. A Property-tax he sincerely hoped would never be imposed on this country, because it was one which could only be made a fair one by the most rigid inquisitorial powers, which he was sure that House would shrink from calling into exercise. He did not believe, either, that such a Tax could be carried, or if carried, that it could be maintained. Believing, then, that the relief to the agricultural interest would be but small,—that the benefit to the working classes, might be given with greater advantage in some other way,—believing that no adequate substitute could be found for the amount of revenue which they were called on to forego, he could come to no other conclusion, than to give his vote to-night in accordance with those he had given on two former occasions, against the Repeal of the Malt-tax. He would call on all hon. Gentlemen, looking back to the experience of the last two years, to take warning by the examples which were to be found on record with reference to the subject now under discussion. By an inconsiderate vote—he was justified in so designating it, when he found, out of 162 Members voting for Sir William Ingilby's Motion, no fewer than 72, within one short week, refused to confirm it—by that inconsiderate vote, the House had been placed under the most disagreeable and objectionable necessity of rescinding its own decision. He called upon hon. Gentlemen to take warning, by what occurred on that occasion, strongly pledged, as they might be, to their constituents, lest, by pursuing again a similar course, they should subject themselves to similar difficulties. He knew well that the course he was pursuing to-night was one, which it would be difficult enough, especially for no inconsiderable number of hon. Gentlemen on the Ministerial side of the House, to adopt on the present occasion. He knew well, that they had made promises, and given pledges, to their constituents, which, it would be no easy task for them to forego, even in spite of that creditable example which the noble Lord, Member for the county of Oxford (Lord Norreys) had set them. It would be hard indeed for them to show to the world, by any failure in promise, that they and their friends, now occupying the Treasury-bench, were the sole friends of the farmer. It would be difficult for them to resign the advantages they gained, at the election, over those who had acted more honestly than they had, by not making those promises to the agriculturists, they must have been sure they could not perform. It would be difficult for them to show the hollowness of their professions, and the arrogance of the pretensions they had put forth, of being the exclusive friends of the farmer—of cherishing exclusive loyalty to the King—exclusive attachment to religion—all, merely to turn the scale of the election, and for their own party purposes. Nevertheless, however difficult and trying all that might be, looking at the pledges they had made—looking to the danger avowed, by the noble Member for Oxfordshire, to the Government they professed to support — and, looking to what he frankly considered was of still greater importance—the national credit—he did not think they would hesitate to break their promises on the present occasion. As to those Gentlemen who, since voting for the Repeal of theMalt-tax, had accepted office, he could not entertain any doubt whatever. Indeed, they had, after all, but a sorry choice. He would not say that they must betray, but certainly they must either desert their constituents or their colleagues, and it was quite natural to suppose that, by this time, they had seen sufficient reason for thinking a change of vote necessary. If there were any, for whom such a course appeared more difficult than others, perhaps, he might instance the right hon. Baronet, the Paymaster of the Forces (Sir E. Knatchbull) the long-tried and consistent advocate of the agricultural interest in that House. He did not know that it would add to the deference which he hoped all the interests in the country would be ready to pay to the decisions of the Board of Trade, when they found that the right hon. Gentleman, the President, and the noble Lord, the Vice-President, were prepared, on the present occasion, to reverse their former votes. From any one but the right hon. Member for the county of Essex (Mr. Baring) he should not have been prepared to expect such a change; but, when he looked back to the conduct which that right hon. Gentleman pursued in 1833, when he found that, on the Motion for a Repeal of the Malt-tax, he put his own principles aside, and, to quote his own words, dealt with the then Ministers according to their principles, such as he was pleased to attribute to them, he could not but expect that he would now do as much for his friends, as he had done for those to whom he was opposed, and that he would on the present occasion, as then, put his principles aside, "content with what he could get in the scramble," and adopt, for the night at least, the principles of his colleagues. But, however that might be,—and, whatever might be the motives which actuated those right hon. Gentlemen to whom he had alluded, he was prepared to give his Majesty's Government the support of an honourable and not a factious vote—a support such as, he was happy to say, had on a former occasion been given to the late Administration, much to his credit and honour, by the present Chancellor of the Exchequer. But of whatever materials the majority of the evening might be composed, he sincerely hoped and trusted the decision would be, not to sport away so large an amount of revenue, but to take care that in the result they left unendangered and unimpaired the national faith and honour of the country.

Sir *Edward Knatchbull* said, he felt himself too much in the situation of the hon. Member for Oldham (Mr. Cobbett), labouring as he did under considerable indisposition, to take any prominent part in the present discussion; but, after the personal appeal which had been made to him, he should be wanting in duty to himself, in his respect to that House and to the country at large, if he did not avail himself of that opportunity to make one or two observations. He heartily concurred in the expressions which had fallen from the hon. Gentleman opposite (Mr. Charles Wood), in the conclusion of his speech, and the hope which he entertained in reference to the anticipated majority on the present occasion. Notwithstanding the observations made by the hon. Gentleman in reference to the course which he (Sir Edward Knatchbull) should feel himself called on to pursue, he thought it was perfectly consistent with his previous conduct, and quite compatible with the duty he owed to his constituents. The hon. Gentleman asked whether, having, on a former occasion, voted in favour of the Repeal of the Malt-tax, he was now prepared to reverse that course? Before having made any charge the hon. Gentleman would have done well to have first ascertained what was the course which he (Sir Edward Knatchbull) really had pursued. In 1833, he had undoubtedly advocated the Repeal of the Malt-duty. He had been then, and he still was of opinion, that the remission of that tax would confer considerable benefit on the agricultural interests of the country. But the House would not fail to recollect that at that period, when he supported that view of the subject, there was a considerable disposable surplus of revenue [*Cries of* "*No, no!*"]. Hon. Gentlemen said "No, no," but if they could not carry their recollections so far back as two years ago, they were not very well qualified to pronounce any opinion on the present important subject. In 1833, there was a large surplus of revenue; and to that he had looked when he gave his vote. He then came to the vote which he was represented as having given on the occasion of Sir William Ingleby's Motion; but on that occasion, he took no part whatever. At the present moment, there was only a surplus of 250,000*l.*, and under those circumstances his present course was perfectly consistent, and he was sure, therefore, the vote he gave would be satisfactory to the hon. Gentlemen on the other side of the House. There was another point on which he wished to say a word before sitting down. Without entering into questions of detail as to how far the agricultural interest would be benefitted by the Repeal of the Malt-tax, one thing was obvious to all—that a substitute must first be provided before so large a sum could be dispensed with; but it was worthy of consideration, that the actual deficit would be much more than 4,600,000*l.*, because the necessary effect of the increased consumption of untaxed beer throughout the country would be, that in other articles, such as tea and coffee, there would be a simultaneous proportionate reduction of consumption and of defalcation in the revenue. He could add nothing to the statement of the right hon. Baronet; and if anything were required to follow it up, the speech of the hon. Gentleman (Mr. Wood) was sufficient for that purpose. Before coming to the conclusion, that they should accede to the present Motion, hon. Members must make up their minds to an inquisitorial and unjust Property-tax. He thought that his Majesty's Government, by adopting their present course, were doing that which was most conducive to the maintenance of the honour and public faith of the country.

Mr. *Spring Rice* felt that, connected as he had been with the noble Lord who lately presided over the finances of the country, and with the arguments and discussions which had taken place on this subject, from time to time, he should be acting inconsistently with any claims he had on the respect and confidence of any private friend, as well as with his own notions of public duty, if he hesitated for one moment in taking now precisely the same stand against the Repeal of the Malt-tax which he had adopted on a former occasion. Noble Lords might indulge themselves, if they thought fit, in attributing motives of faction to their past conduct; hon. and right hon. Gentlemen might if they thought fit, deal out in their absence the hard language of invective, and call them the offscourings of a party, and the sweepings of public offices, as the right hon. Gentleman the President of the Board of Trade had thought it convenient to do. [Mr. *Baring:* does the right hon. Gentleman allude to me?] He certainly imputed the expressions he had used to the right hon. Gentleman, as contained in the report of a speech delivered by him on the hustings in the county of Essex. He should be extremely happy to hear them contradicted, for they had, he confessed, given him individually very considerable pain. Any explanation, therefore, would be received by him from the right hon. Gentleman with the utmost frankness—nay, with the utmost gratitude [Mr. *Baring* wished to be put in possession of the precise words imputed to him]. He was in possession of the very words, and they dwelt so accurately in his memory, that he had no difficulty in repeating them. The right hon. Gentleman might, therefore, have the opportunity of taking them down. On the occasion alluded to, the right hon. Gentleman was represented as having designated the late Government, of which he (Mr. Spring Rice) had the honour to form a part, as the miserable offscourings of a party, and the sweepings of offices. Now, he took the liberty of stating, that from the offscourings of that party, and the sweepings of offices, the right hon. Gentleman and his friends would receive on the present occasion honourable and disinterested support. Such was the reply he was prepared to give to the noble Lord who had attributed to them factious motives. He felt deeply interested in the decision to which the House would that night come; and he was the more interested in the decision of this question, because he had not forgotten the arguments, similar to the taunts of the noble Lord, which had been used by those who sat upon the Treasury Benches, against any combination upon any particular questions of individuals, or of parties who might have occasionally or frequently differed in opinion upon political subjects. He could assure the right hon. Baronet that there was no hazard of his losing his vote, and he thought he might add the votes of those who almost upon all occasions coincided with him in opinion. He would further say, that there was no one within the walls of that House who looked forward with more cheerful anticipations to the result of the vote upon this question, and that there was no one who entertained more sanguine anticipation that the right hon. Baronet's Resolutions would be sanctioned by a large majority—a majority, too, which he felt convinced would vindicate the character of that distinguished party to which he was proud to belong from all the imputations of acting entirely from factious motives, which had of late been so frequently urged by those who sat upon the Treasury against those occupying the Opposition Benches. How, he would ask, could those who advocated such a principle — who maintained that a difference in political views upon certain questions, precluded the possibility of men or of parties voting in the same way upon any subject—now come forward and claim his, and the votes of his hon. Friends in support of a Government in which they had no confidence, upon a question the majority upon which would be formed by their votes? He, however, altogether differed from those who laid down that principle as the guide by which the conduct of public men should be directed, and he therefore felt no hesitation in giving to the right hon. Baronet opposite, his cordial, earnest, and sincere support upon this question. The correctness of his opinion upon this point had been admitted upon various occasions, and upon one not unanalogous to the present—namely, when the noble Lord opposite (the Marquess of Chandos) introduced his Motion last Session for the relief of agricultural distress. Upon that proposition, those who held upon other questions the most opposite views were found voting in the same way; and yet it had upon late occasions been asserted that a combined action upon the part of those who had taken a share in and supported the late Government with those who occasionally or generally opposed it, against an Administration which both parties distrusted, was nothing short of an outrage upon principle, and actual treason against political integrity. It was, he well recollected, declared upon that occasion by a right hon. Gentleman (the Chancellor of the Exchequer), that he felt himself compelled to vote with those who advocated doctrines which he repudiated—doctrines founded upon the violation of those principles upon which he had always acted, but that he would be ashamed of himself if any scruple of that description could prevent him from taking that course which the plain dictates of public duty pointed out. Such were the opinions expressed at that time by those who now appeared to consider the coalition of opposed parties upon certain questions as the acme of political iniquity. He was the more anxious that this fallacy should be exposed as speedily as possible, because he knew that there were many hon. Members who would vote against the Motion of the noble Lord, if they were not deterred from doing so by a fear that if they acted in that manner they would be affording support to a Ministry whom they distrust. If the Members of the present Administration were prepared to act upon the principle which they lately advocated, and to which he had called the attention of the House, they were bound to respect the motives of those hon. Gentlemen to whom he referred; but he was sure, that those scruples would not receive the countenance of the House, because the doctrine out of which they originated was unquestionably erroneous. Those Gentlemen ought to forget every thing but the principles laid down in the speech of the right hon. Baronet; and as these coincided, he believed, with their opinions, they ought not to hesitate to give him their support. The right hon. Gentleman had argued the question in so clear, convincing, and conclusive a manner, that no one who could understand the force of reasoning, or the application of facts, could fail to be persuaded of the expediency and justice of the course which he had recommended to be pursued. The speech which the right hon. Baronet had delivered had left him nothing to touch upon; but he hoped he might be permitted to remark, that there were a few words uttered by him at the commencement, and towards the conclusion of his speech, which he could not consider altogether unobjectionable, inasmuch as they appeared to convey an opinion that he would receive opposition, not upon the broad and abstract merits of the question, but upon grounds which were assumed for a temporary object, at the present period of the close of the financial year; and, consequently, previous to the introduction of the financial statement which would be laid before the House. He was convinced, however, that the opinion which the right hon. Baronet appeared to entertain, would prove unfounded, and that the support which he might receive, and the opposition which might be offered to him, would only rest upon solid and permanent considerations. He, for one, could fearlessly assert, that his vote should not be dictated by any factious opposition to the Administration; and the arguments of the right hon. Baronet, which comprehended, or rather decided, the whole question, strengthened and confirmed the conviction at which he had previously arrived. He wished to say this, not only because he had been a Member of that Government which, upon previous occasions, had resisted a similar proposition to that of the noble Lord, but because he felt bound to declare, that, if he had never voted at all upon this subject—if now, for the first time, the question were broached, still, upon the grounds stated by the right hon. Baronet, he could never consent to the sacrifice of so large a portion of the public revenue as that which must result from a compliance with the Motion of the noble Lord. It would not be safe to adopt such a course, even if there were a fair chance of finding a substitute for the tax which was proposed to be abolished; but was there, he would boldly ask, a single individual within the walls of that House, who could reckon, with any approach to confidence, upon the possibility of finding a substitute, if the Malt-tax were repealed? There was a subject closely connected with the object of the present Motion, which he was surprised had not been alluded to in the course of the debate, and which he thought ought to have some weight with those connected with the landed interest, in the consideration of the question of the Repeal of the Malt-tax. The question to which he referred was that of the Corn-laws. Before hon. Gentlemen committed themselves on the present Motion, he thought it would be well, if they were to recur to their votes upon the question of the Corn-laws; or, at all events, read the arguments which had been used on that occasion, and consider how many of them urged against the repeal of those laws rested upon the fact of the land being subjected to many and peculiar burdens. With what grace could those country gentlemen, who should vote for the noble Lord's Motion, which went to relieve the land from one of the peculiar burdens which now pressed upon it, come down to the House and vote against the Motion of which he believed the hon. Member for Middlesex had already given notice, and by which it was intended to deprive the landholders of that monopoly which could be defended only upon the ground, that they were exposed to severe and peculiar hardships. It was only yesterday that a petition was presented, containing the modest request, that the House would grant the total abolition of the Malt-tax, and a great increase in the protecting duties on foreign corn. There was a palpable contradiction in principle, amounting to an absurdity, in such a demand. The right hon. Gentleman (the Chancellor of the Exchequer) had, he repeated, anticipated everything, not merely which he could urge, but which could be offered, in support of those views in which he cordially concurred. There were, however, one or two points in discussing which he did not carry out the principle upon which he argued, to the full extent to which he was warranted by facts. The right hon. Gentleman had adverted to the reductions which had already been effected in the duty upon malt; but, in doing so, he had only compared the present state of the duty payable on malt, with that which existed previous to the passing of the Beer Bill. Let the House, however, observe the reductions which had been effected previous to the periods to which the right hon. Baronet had directed their attention. Now, from the year 1804 to 1817, the duty on the quarter of malt was 3*l.* 6*s.* 7*d.*; and, up to the year 1830, when the Beer Bill was passed, the duty on the same quantity was 2*l.* 12*s.* 7*d.* And the maximum of the diminutions which had been effected during those periods, amounted to 2*l.* 5*s.* 11*d.* the quarter. This was an additional argument against the reduction of that branch of taxation which was said to press with such severity upon the land. He could have no doubt as to the result of the division; he could entertain no doubt that, in resisting the proposition of the noble Lord, the late Government would prove that they were swayed in their conduct by no factious motives, but were directed alone by an attachment to those principles which they had formerly professed. The hon. Member for Oldham used the same arguments against any coalition on the part of those who differed in opinion, as those which were urged by the Gentlemen who occupied the Treasury Bench; but, he could assure the hon. Member, that, if he brought forward any question which he could support, he should have his vote with as much readiness as he now gave it to those who meant to pursue that course which, upon every principle of justice and of duty to his country, he felt compelled to sanction. The only ground of alarm which the Ministry could reasonably apprehend referred to the pledges which had been given on the hustings. He believed that these pledges had been honestly given in some instances; it was possible that some of them also had been given in ignorance. [*Loud cries of* " *Oh, oh!*" *and laughter.*] He repeated, that it was very possible some of these pledges had been given in ignorance; but this, he felt, was an excuse which could not be fairly pleaded by those who were now about to vote against the Motion of the noble Lord, in the teeth of those pledges which they had given to their constituents on the hustings. This was no new subject. Gentlemen who aspired to become Members of Parliament had a right to understand what the Malt-tax was; and when men of character, station, and independence came forward as candidates, and refused to pledge themselves to a measure which they saw no possibility of being carried into execution, those who defeated them had no right, consistently with an adherence to justice and political truth, to carry the elections triumphantly by having inscribed on their banners " No Malt-tax," and afterwards, when they came to vote in Parliament, plead ignorance of the nature of the pledge by acceding to which they had succeeded in obtaining their seats. He could never approve of that deviation from principle which must be committed by those Gentlemen if they acted in the manner which was contemplated; but he would have the truth conveyed to the public; he would have the answer demanded and returned at the hustings for holding out expectations which those Representatives found it inexpedient to attempt to realize. The delusion on the subject of the Malt-tax was, previous to the last election, extended throughout the country. The Whigs—that party with which he had always the honour to act—were stigmatised as the enemies of the farmers, and their opponents lauded as their steady and faithful friends. Let the constituency of Derbyshire, for instance, know, that, as far as the Malt-tax was concerned, one of their Members was as true a friend to the farmer as the other. In noticing the delusion which prevailed upon this subject, he could not help referring to the circular which had been put forth by the supporters of the right hon. Baronet previous to the last election, and which claimed the support of the farmers at the approaching election in favour of those who styled themselves their steady and sincere friends. It was in these words:—"Farmers of England! look to your Representatives! — Recollect, a Knatchbull, for Kent, out of office, voted for the Repeal of the Malt-tax; a Baring, for Essex, out of office, voted for the Repeal of the Malt-tax; a Lincoln, for Notts, out of office, voted for the repeal of the Malt-tax; an Ashley, for Dorset, out of office, voted for a Repeal of the Malt-tax; a Murray, for Perthshire, out of office, voted for a Repeal of the Malt-tax! Farmers of England! look well to these official Gentlemen, and now that they are in office, take care they do not change their votes; but let them prove their consistency, as Lord Chandos has done, by voting with him, as they did before." He begged the House to understand, that he did not make any allusion to those points for the purpose of pinning hon. Members to the opinions which they might have expressed on the hustings. By not adhering to sentiments unwisely or ignorantly stated, they would most truly adhere to that which would most promote the public interest, and secure the confidence of the public; but he hoped that never again would they unfold the blazing oriflamme with the words "No Malt-tax" displayed. He felt he could add but little to what had already been so powerfully, so eloquently, so conclusively urged from the other side of the House; but, if amongst any hon. Gentlemen misgivings still remained, he should refer them to the authority of a speech made upon a subject not analogous to the present—it was a speech proceeding from what he should esteem a very high authority, and one made upon a real practical question—one involving principles of fair trade, good faith, and credit. He admitted that the authority to which he referred went further than was necessary for the purposes of the present argument; it went beyond what he contemplated; it required that a large surplus revenue should, if possible, be maintained with a view to the purposes of a sinking fund. Though the words of that authority were not precisely applicable to the present case, yet the subject matter was the same or, at least, was so closely analogous as completely to serve the purposes of his argument. In 1830, a right hon. Gentleman, of great weight in commercial matters, presented a petition from the city of London,—he hoped that that petition still remained amongst the records of the Board of Trade. The right hon. Gentleman, at that time Member for Callington, entertained opinions which, it was to be hoped, still survived, and which he trusted to see displaying themselves strikingly in the department over which he presided—those opinions, on the occasion of presenting that petition, he very fully expressed; and the application of such principles to the present question would, he felt fully persuaded, be attended with an advantageous effect. That right hon. Gentleman was likewise found to express a strong wish that measures should be adopted for creating an efficient sinking fund, hoping, at the same time, that "hon. Members would not be led away by the cry of 'No Malt-tax.' If that were a cry raised in the market-place of Chelmsford, it might minister to the prejudices of some, but it did not come recommended by any maxim of political wisdom: such a cry might produce its effects upon Penenden-heath, but, if it were to be a rule for the government of the country, the honour, the interests, the power of the country could not fail to be weakened by its operation; and he trusted that the House would listen to those considerations." Such was the language held by the right hon. Gentleman. When he subsequently came to discuss the question of finance in that House, on bearing upon the tax in question, he spoke of the remission of taxation as being the subject of a general scramble in that House for the advantage of individual interest, each class seeking to secure all to themselves: those were views the consistency of which he left the right hon. Gentleman to establish; but in even incidentally adverting to them, he could not help expressing a hope, that they would never act in that House upon the principle of a scramble; and, whether in the Government or out of it, he could entertain but one opinion of the Members of that House, namely,—that they would all feel it as a paramount duty to maintain the national faith.

Mr. *Baring* had not intended to have spoken on the question, in consequence of the masterly statement of the right hon. Baronet at his side having completely superseded the necessity of his doing so; but that he was, notwithstanding, compelled to offer a few observations on the course of argument and invective, personal to himself, which hon. Members had pursued in the discussion of the question. He could not conceive how it was or why, in a fair Debate, on an open question like the one before the House, hon. Members should indulge in crimination and recrimination, especially how they could have selected his public conduct as the object of their particular attack. The hon. Member for Halifax, for instance, had spoken of him as a person ready at all times to throw over his principles to suit his purposes; and which, he would leave it to the House to confirm his assertion, was anything but the fact. He deprecated the observations of the hon. Member the more, as he had ever held a high opinion of him, and his pain and surprise was consequently greater from the great amount of his esteem towards him. He should not stoop to repel the unjustifiable attack of the hon. Member. If his own conduct in that House did not shield him from such hostility all he could say on the subject would not suffice to exculpate him. He should therefore not condescend to reply to the attack so gratuitously made on him by the hon. Member, the late Secretary to the Treasury. The House was competent to do him justice in both instances. With respect to the observations of his right hon. Friend, the Member for Cambridge, he confessed he felt more sympathy. He could not conceal from himself, that they were calculated to inflict much pain; but as he was innocent of having given cause for them, they failed in inflicting it. They were dictated, he believed, by the supposition, that he (Mr. Baring) had made use of the words quoted by him, and on that supposition he could easily account for their acerbity. But he could assure the right hon. Gentleman and the House, that there was no foundation whatever for that supposition, as he (Mr. Baring) had never made use of the expressions attributed to him, and quoted by the right hon. Gentleman. In this assertion he was quite sure, he should be borne out by the hon. Member for Southwark, who was on the hustings when he (Mr. Baring) spoke at the time alluded to. He had never made use of those expressions he could again assure the House, and he could assure them, moreover, that he should be ashamed of himself, if he thought he was capable of doing so. Though he differed from his right hon. Friend, and those of his party, his late colleagues in office, on material points, he had still too much respect left for them to apply any such epithets to them as had been ascribed to him by the right hon. Gentleman. Since the right hon. Gentleman had spoken, he (Mr. Baring) had been turning the matter over in his mind, and endeavouring to recollect what he actually did say on the occasion in question. The result of those endeavours was a tolerably complete recollection of the passage, and which he believe was, substantially correct. He had been alluding to the tenacity of office manifested by the Whigs, and arguing against their claim to a monopoly of the Reform Government because they were the originators of Reform. As well as he could recollect, the passage containing the *animus* of the right hon. Gentleman's charge it ran thus:—"He (Mr. Baring) would ask how long was that monopoly to remain good? How long was office to be claimed solely by them? Was it as long as a single sweeper appointed since the passing of the Reform Bill should remain in the Treasury offices?" These, he could assure the House, were the words he uttered, at least that was the exact sentiment of the passage commented on. He felt himself obliged to the right hon. Gentleman for having by his statement given him that opportunity of offering the explanation which he had now laid before the House. Having thus disposed of the preliminary matters, he wouldnow come to the main question itself. The right hon. Gentleman had taunted his side of the House with having given pledges to which they had not afterwards very scrupulously adhered. For his part, he could positively assert, that he had never given any pledge as to any specific vote in the whole course of his life. He was, however, ready to admit, that he never should have presented himself to the constituency of Essex if his opinions and feelings had not led him to give the utmost protection to their interests, which were consistent, in his opinion, with sound policy, according to the condition and general interests of the country. To that extent the people of Essex had a right to confide in him. Although he had made no promises—although he had given no pledges—he had stated, that according to his notions of protection, he should be ready to afford every relief to his constituency— that he should be always willing to support whatever would better them without any detriment to the country at large, and it would be a personal dishonour were he to give any vote which derogated from that principle. The right hon. Gentleman had thrown in his teeth the mottos which he said had been inscribed on his banners at the last election, when the fact was, that he had no banners. With reference to the question, undoubtedly the right hon. Gentleman was right in saying, that pledges had been given on both sides. Pledges had been given by men of all shades and varieties of political opinions, and the taunt could not be applied to one party more than to another. The right hon. Gentleman had been pleased to criticise the financial opinions which he had given at different times. When the right hon. Gentleman had said, that he had talked of a scramble in that House, he begged at least to have an opportunity of explaining himself on the subject. The late Chancellor of the Exchequer (the present Earl Spencer) had, at an unusually early period of the Session, given a financial statement to the House of Commons, in which he had said, that there was a large surplus of revenue—a surplus to the extent at least of 1,200,000*l.*, and of which the Government had to dispose. He had deprecated the making of any such assertions in the House without going into details, because the consequences would be that all the different classes and interests of the House would make a scramble for the surplus. If the same occasion were to occur, he would be quite ready to repeat the assertion, and he still maintained, that the disclosure to the House was indiscreet, and a very unfortunate mode of expression. He had voted undoubtedly for the Repeal of half of the Malt-tax, and the right hon. Gentleman thought it perfectly consistent in him to vote as he certainly should do that night. What, would the right hon. Gentleman say, that there was no difference in the circumstances of the two cases? In the first place, he had explained at the time he gave his vote the ground on which he had given it. There had been in three following years, according to the admission of the Chancellor of the Exchequer, a surplus to be divided, and the fact was, that in the year 1831, a surplus of 1,200,000*l.* was disposed of to repeal the duties upon printed goods and coals. In the year 1832, a surplus of 760,000*l.* went to the repeal of duties upon candles, soap, and some other articles. In 1833, 1,657,000*l.* went to the Repeal of the Assessed-taxes, advertisements, marine insurances, and other things; whilst in 1834, a surplus of 1,700,000*l.* was to be distributed, and the great mass was devoted to the Repeal of the House-tax. It was on this occasion, that he had said, that if such distributions of surplus revenue were to be made an object of scramble from year to year, he should beg to put in his claim on the part of those whose interests he represented in that House. The whole amount of the reduction, since 1833, had been 5,300,000*l.*, and he had maintained, that at least one-half of the Malt-tax should have been repealed out of that surplus before several other taxes. If, at the present moment, there were a considerable surplus to dispose of, he should feel himself very much embarrassed in voting against the Motion of the noble Marquess, for he was perfectly aware, that there was no interest in the country labouring under more severe sufferings than the landed interest. He had never concurred in the opinion, that the reduction of the Malt-tax would not be a great advantage. The farmer, indeed, was very much in error as to the extent of the advantage which would fall to his share, for the chief part of the advantage would accrue to the labourers in agriculture; but still he could not deny, that it would be an advantage of very considerable extent to the farmer. If there were any considerable surplus revenue, or any means whatever of affording this relief, without totally subverting the whole system of the finances of the country, he would vote, that the agricultural interest should be benefitted, but, at present, there was no surplus at all; there was nothing whatever to distribute. Would it be wisdom in that House to make a deficiency in the revenue, and then to seek out the means of making up the defect? Would it be wise to subvert the finances of the country, and to make a complete change in the system of taxation, by which he believed the agricultural, as well as every other interest in the country would suffer? The right hon. Gentleman had criticised what had been very often said by him in that House with respect to the disposal of large sums of surplus revenue. All he had said was, that if, at an early period after the war, the surplus revenue had been applied to the reduction of the National Debt the country would now have been in a condition to remit a much larger portion of the taxes. The right hon. Gentleman had stated to the House what had been the result of economy to the country in the maintenance of public credit. Undoubtedly, it had enabled the country to reduce the five and four per cents.; but still he maintained, that if the surplus revenues at the conclusion of the war had been properly applied, the reductions might now have been greater. He begged leave to state, that comparing last year with the present, the right hon. Gentleman would find, that he had ample means of justifying the votes he had given and should give. Last year, the price of barley was 27*s*., and now it was 37*s*. Then there was a surplus revenue, and now there was no surplus, it was, therefore, that he could not see, except it were for the purposes of making a sort of party display, for the sake of introducing party and party asperities into a question which ought to be entirely free from them—why it was that Gentlemen opposite had argued the question with reference to the votes of last Session. The argument for the farmer was, if there were not a better price for barley what would be the benefit to him? Barley was at present at 37*s*.; and let Gentlemen look at the returns under the present Corn-laws, and they would find, that in proportion, as barley approached to the price of 40*s*., foreign barley was brought into this country. As prices got down, foreign barley ceased to come in. Unless, therefore, they could persuade the House to Repeal the Corn-laws entirely, it would be impossible that the farmer, at the present price of barley, could derive any benefit by reducing the Malt-tax. Even in the two last months there had been a considerable increase in the importation of foreign barley, whilst a quantity of beans and peas had come out for home consumption, and a revenue of 100,000*l*. had been levied on the imported barley. Again, he maintained, that unless Parliament could be persuaded to alter the Corn-laws, no benefit could be expected from any alterations of the Malt-tax. He wished, that Gentlemen in discussing this question would avoid personalities, and confine themselves to argument and to figures, and he was sure, that they would come to the result which he had pointed out. He knew that his constituents in Essex had a strong opinion that relief ought to be afforded to them by agreeing to the Motion before the House. He did not conceal from himself, that a very large majority of the agriculturists of the country had their hearts set on this Motion. He would not anticipate their judgment upon his conduct; but he would again assert, that he had made no pledges, and as long as he had the honour to sit in that House, whether his votes of one year could be set against his votes of another year or not, this he could say, that whilst he had the honour of sitting there, or of holding any place in his Majesty's Government, he would not vote on anything if he were to sacrifice in the slightest degree his sincere opinion. To come down to that House to express the opinions, and to vote after the opinions, of others would be no gratification to him; on the contrary, if he were to appear in that House to express any opinions, opposed to his own, or to vote against his conscientious convictions, it would be the greatest mortification he could endure.

Mr. *Charles Wood*, in explanation, said, that he had no intention, in any allusions he had made to the right hon. Gentleman, to go beyond the limits of fair political debate. He had no intention of making a personal attack upon the right hon. Gentleman, and if he had said anything to induce a contrary belief, he was very sorry for it, and begged to assure the right hon. Gentleman that nothing could be further from his thoughts than the desire to offer him any personal offence.

Lord *Ashley* complained that in his absence from the House it had been said that he had done in office what he would not do out of office. It had been said that he had voted for the Repeal of the Malt-tax on a former occasion, and that he would vote for a continuance of the tax now. The fact was not so; he was out of town when the vote of the preceding Session had been passed for reducing the Malt-tax, and when he heard of that vote he made it his business to return to town and to support the Government in putting it on again. He had twice opposed a reduction of the Malt-tax, and he would oppose it again; and this he did, because a Repeal of the tax would injure the interests of those whom he was bound to protect.

Mr. *Poulett Thomson* was anxious to state the grounds upon which he should give his vote that night, and more especially, the financial grounds on which he rested that vote. The right hon. Gentleman had observed, and it was quite true, that it was very inconvenient to enter into a discussion on financial matters before the regular statement of the Chancellor of the Exchequer. Admitting this, however, he must regret that the right hon. Baronet had not seen fit to take, even thus early in the Session, an opportunity of doing that which had been done by his predecessors in office—namely, giving some rough statement of the financial condition of the country, without waiting for the introduction of the budget, which could only be brought forward after the estimates. A statement of this kind had been made in February, last year, and in April, of the year before, and at an early period in other years. The present right hon. Secretary for the Home Department had pursued this course when he was Chancellor of the Exchequer, in 1830. It would be, he contended, a great advantage to the House, not only in discussing a question like the present, but generally, if the right hon. Baronet had favoured them with some such financial explanation. At that early period it must necessarily be somewhat vague, but he trusted the right hon. Gentleman would see the expediency of putting it forth speedily, and, at all events, that he would not defer his statement to the end of the financial year, but would, upon the occasion of their going into a Committee of Supply, or some such other occasion, follow the example of his predecessors. He was extremely sorry to find, from the right hon. Baronet's statement, that there would not be a surplus of more than 250,000*l.*, because, although he was aware there could not be any considerable surplus, yet he certainly did expect that it would have been greater than the amount declared by the right hon. Baronet. The smallness of this surplus, however, he could assure the House was not a consideration necessary to influence his vote. The principles which had been laid down by the right hon. Baronet were in themselves perfectly sufficient. But while he voted in accordance with those principles, and found himself voting on the same side with the right hon. President of the Board of Trade, he must not be understood to give his assent to those very different principles which had been laid down by that right hon. Gentleman. He really should have felt great difficulty in voting against the Repeal of this tax if it had been met in another way. The right hon. Gentleman had fairly declared, that looking to the amount of taxation necessary to keep up the proper and becoming expenditure of the country, and to fulfil its engagements, he did not conceive that the tax could be dispensed with at present. The right hon. President of the Board of Trade, had treated the question on very different grounds. He quite agreed with the right hon. Baronet, that the tax was as good a tax as any other which could be imposed; it was an evil doubtless, a tax was always an evil; but still he maintained this particular tax was a less evil, and in fact better than any other which could be made its substitute at present, or, for aught that could be foreseen, for some time to come. Besides, until other more oppressive and more obnoxious taxes were removed, he should give his vote for the maintenance of the Malt-tax as a permanent measure, at least until circumstances were greatly altered. The right hon. Gentleman must surely have heard with infinite pleasure the arguments of the right hon. Baronet that night; yet was it not strange that they did not occur to the right hon. Gentleman himself and before the present time? The circumstances attending the question were precisely the same last year as they were at that moment. Could there then be any reason why a Gentleman of his acknowledged acuteness should not have been able to imagine and supply the arguments upon the occasion? The right hon. Baronet had stated that the revenue was progressively increasing without a proportionate increase of the rate. He also said that the amount of malt consumed was increasing. The right hon. Gentleman said, indeed, that the prices were lower last year, but that it was only from the larger supply. There had also been an allusion to the old argument about the exorbitant profits of the maltsters, which was a rank fallacy. There was, also, a palpable fallacy in what had been said by the right hon. Gentleman that night, no doubt looking to Essex, that the farmer would be benefited by the redemption of this tax; yet, in the same breath, he went on to show, by returns, that whenever the price got up, the importation of foreign barley came in, and therefore, notwithstanding what he had said before, that the farmer could not possibly be benefited. He, however, would leave the right hon. Gentleman to explain this, together with the many other matters upon which he would be probably questioned when he met his constituents in the market-place at Chelmsford. He contended, that if there were any increase of profit, the landlord would be sure, sooner or later, to take the lion's share; and he would only do right in so doing. It would be the natural result of that competition for land which made rent. He would vote with the right hon. Baronet; and felt no difficulty in voting with him, for he should always be directed by a regard to the interests of the country in the course which he should pursue.

Sir *James Graham* said, that after the unanswered and unanswerable speech they had heard in the earlier part of that evening, he certainly should not, if he had not been called for, have troubled the House with a single word in defence of the vote which he purposed to give. The proposition under their consideration materially affected the revenue of the country; and being in the situation of one who was not connected with the present Government, who had not been connected with the last Government, who had no vote upon the subject to explain, and no speech to retract, he might, perhaps, be permitted, in obedience to the wish of the House, to state as shortly and succinctly as he could, the reasons upon which he justified his vote on the present occasion. With reference to what had fallen from the hon. Member for Lincolnshire, who, amidst other remarks of the like tendency, had observed that the time for professions had gone by, and that it would now be certainly seen who were, and who were not, the friends of the landed interest, he should, he doubted not, be pardoned for saying that there was no Gentleman in that House, who, by prejudice, feelings, inclinations, habits,— by the bonds of common interest,—he might add, by common suffering—was more identified with the holders of land than the Member who had then the honour to address them. His regard for the agricultural interest was one of the strongest sentiments which guided his public conduct He had attended closely and anxiously the investigation respecting the condition of that body, and he felt himself bound to state to the House, that no fact had ever yet been more clearly proved than that the distress was general, that it was progressive, and that it required the earnest and immediate attention of the Government. But being, as he was, a friend of the agricultural interest — entertaining, as he did, the opinion that agriculture was the most important of the concerns of every state, the interest on which the prosperity of the country mainly did depend — anxious as he was to withhold no re-relief which could possibly be afforded, admitting, as he did, the distress; yet did he conscientiously come to the conclusion that the remedy proposed was not practicable, and was inconsistent alike with the true interests of the agricultural body and with those of the community. He would not weary the House by again feebly touching upon the points which had been so admirably put forward by the right hon. Baronet, or by again running over the arguments which they had heard him state with so much pleasure. He conceived, that after the clear and powerful speech of the right hon. Baronet, everybody must feel, that the arguments which could be advanced had been all exhausted. It only remained for the individuals who might follow him to glean a few of the topics which he might have passed over or neglected. The right hon. Baronet had fairly stated the substance of the evidence which had been given before the Agricultural Committee; it proved that distress did exist generally, but chiefly amongst those who occupied the heavy clay lands. Now the tendency of the noble Marquess's Motion would be to raise the price of barley, which was grown upon the light lands at present not in a state of distress, and to leave untouched the evil which affected the clay land, the ancient wheat land of England; so that the arrangement proposed by the noble Marquess would actually be in favour of the light lands which were the least depressed, and against the heavy lands on which the burthen chiefly rested. The hon. Member for Lincolnshire, indeed, had made some observations about the indirect effect of the diminished growth of wheat on light land being favourable to its increased production on heavy clay land; such observations would have been conclusive if he had not overlooked the operation of the Corn-laws. He forgot that the whole surplus consumption of wheat, that is to say, all that was consumed beyond what was grown in England, had for the last three years been supplied from Ireland. And what were the prices in that country? Why, in the market of Waterford, good wheat was sold from 28*s.* to 32*s.* per quarter. Now, in Ireland there was still a vast quantity of excellent land yet unbroken; and if an increase in the price of barley grown on the light land of England were to displace the growth of wheat, and to raise its price, the consequence would be the bringing into wheat cultivation a vast quantity of land of a superior quality in Ireland. He asked, then, how was it possible that the cultivation of the heavy clay-land in England could be benefitted by the increase of price? It struck him, too, that the right hon. Baronet, in disproving the statement of the profits of maltsters made by the hon. Member for Oldham, might have corroborated the just view which he had truly taken. The right hon. Gentleman had said, and most accurately, that the profits of the maltster were not more than 5*s.* or 6*s.* a quarter. The fact was, that in districts where farmers were in the habit of sending their sacks of barley to be malted, 5*s.* to 6*s.* per quarter were charged for that operation, so that the right hon. Gentleman had arrived by induction at the precise minimum of the profit enjoyed by the maltster which he could have declared from his practical and personal knowledge of the fact. The hon. Member for Oldham was wrong in his exaggerated estimate of the maltster's profits. There was this great difficulty in the question respecting the Repeal of the Malt-tax—if you lowered the prices, the consumer would benefit to a small extent, and the demand for barley would increase; but unless there were to be some ancillary measure respecting the Corn-laws, the farmer, it was clear, could not benefit from the increased demand, since importation would check a rise in the price of barley. The right hon. President of the Board of Trade had observed, that so soon as the barley which now fetched 38*s.* a quarter reached 40*s.*, then the operation of the Corn-laws commenced. Where, then, were the benefits which the noble Marquess contemplated for the English cultivator? Were they then to submit to so great a loss of revenue, without any certain advantage to the consumer or to the farmer, to the light land or to the heavy land, to any body or anything, excepting the landowner? For he maintained, that it was quite evident that the benefit of any rise in price must ultimately accrue to the Landlord, from the increased competition for land, and the higher rents which must necessarily take place. In pursuing the course which he had determined to follow, he thought not of the maintenance of this Government or of that Government—he thought only of the maintenance of public credit; and therefore it was that now, as formerly, he would, as strenuously as ever resist the Repeal of this tax. [*Mr. Hume rose, supposing the right hon. Baronet had ended.*] He saw that the hon. Member for Middlesex was anxious to address the House, and he should have great pleasure in hearing him deliver his sentiments. He should be particularly glad to hear him on one point. The hon. Member was certainly a great advocate for economy and retrenchment. Now, the right hon. Baronet had stated, that there were four ways in which the reduction of this tax might possibly be compensated. One was, a decrease in the public expenditure of 4,500,000*l.*, which he (Sir Robert Peel) declared to be impossible—an opinion which was supported by the right hon. Gentleman (Mr. Spring Rice) who had such recent experience at the Treasury. The hon. Member for Middlesex had, in 1823, pointed out an extent of reduction which he declared might be effected by honest exertions; but to the credit of the Wellington Administration, be it said, and equally to the credit of Earl Grey's Administration, the expenditure had been reduced to a degree which the hon. Member for Middlesex had not, in 1823, himself deemed possible. Economy and retrenchment had actually been carried beyond the hopes or expectations of the Member for Middlesex. He doubted if any very material additional reductions could, in the present state of circumstances, be made under any Administration, whether the present, or one to come. They had now a new Administration, and they had been told of, or rather threatened with a Grote and Warburton Administration. He did not mean to allude offensively to either of those Gentlemen. He admired their private and public virtues; but knowing the bent of their principles and inclinations, and the organic changes which they were anxious to effect, he certainly should feel great regret, and regard with extreme apprehension their accession to office. It might not perhaps be likely that such an Administration would be formed immediately, but if it were, it was quite impossible that the hon. Member for Middlesex should not hold a leading situation in it. Indeed, the hon. Member had, by a Motion of which he had given notice, designated the particular office which he was prepared to hold. He was, it appeared, to be Chancellor of the Exchequer. He had no doubt, too, that the hon. Member for Southwark would occupy a prominent station in that Ministry. The hon. Member was perfectly conscious of his own power and abilities. He said, in last Session, that he had taken the measure of other men in public life, and declared that he was in no respect their inferior, except as regarded one particular investigation affecting his private character, which he had succeeded in having instituted, and from which, so far as it went, he might take the full benefit. He repeated, therefore, that it was highly probable the hon. Gentleman would take a prominent part in such an Administration. He asked, then, the country gentlemen of England, were they prepared to vote for the Repeal of the Malt-tax, for the purpose of receiving a graduated Property-tax and the Repeal of the Corn-laws, which they would have if the hon. Member for Southwark and his party succeeded? He appealed to the gentlemen of England, if they were prepared to accept of this alteration at the expense of a Property-tax, or of a breach of national faith. He knew that they would regard even a Property-tax as a less evil than an act of national bankruptcy; but was not the Malt-tax a still less evil than the certainty of this graduated Property-tax, which was offered to them as a boon in its stead, and the great probability of a total repeal of the Corn-laws? It must not be dissembled, that great burthens pressed upon the landed interest. What were these? The Poor-laws? But means had been devised for lightening the pressure of those laws. What next? The Tithes, but there was reason to hope that something would be done to reduce this heavy burthen by a commutation; and further, there was reason to hope that steps would be taken to lighten the pressure of the county rates. The only thing which then remained exclusively a charge upon the landed interest was the Malt-tax, and he was persuaded, that if that, with the other burthens, were reduced, there would be nothing to prevent the Repeal of the Corn-laws being urged irresistibly upon the House. On the whole, then, looking at the alternatives that were left to them, and foreseeing the nature of the substitutes that were offered, and the difficulties that would arise from an increase of the amount of duties on other articles already taxed, and believing that a Property-tax was the only effective substitute that could be offered, and objecting on principle to that tax, he could not give his assent to the present Motion. [*Here Mr. Hume, who seemed to think that the right hon. Baronet had concluded his speech, rose, and addressed the Chair.*] He (Sir J. Graham) felt that he was delaying the House from hearing a speech from the hon. Member for Middlesex, which he again regretted he had not the opportunity of hearing before he commenced. He could not say what effect the speech of the hon. Member might have had on him, but there was a speech yet to be delivered on the other side, by which it was possible he might be convinced. He alluded to one which the House might possibly hear from an hon Friend, who had delivered a speech in another place, to which—as election and other speeches out of doors had been alluded to—he might venture to refer. The speech to which he alluded was that of the hon. Member for Cricklade, which, if the plans referred to in it were stated in the House, might possibly shake his vote. That hon. Member had said, in an address to his constituents, or was reported to have said, that such was his opposition to the continuance of the Malt-tax, that he had obtained a monosyllabic nick-name—that name was "Malt." The hon. Gentleman had said, that he had constantly impressed on Ministers the necessity of repealing the duty on malt, and that at last he was delegated by the late Government to draw up a plan for its abolition, and for supplying its place; this plan, he had declared to have been almost ready, and that he entertained sanguine hopes it would have proved satisfactory. That plan was, however, cut short by the dissolution of the Melbourne Administration. He did not see why the plan should be lost. If it had been matured, he saw no reason why his hon. Friend should not state it to the House. It might have the effect of shaking his vote; but until he heard this notable plan explained in all its details, he should adhere to his intention of opposing the present Motion.

Mr. *Robert Gordon* said, that the right hon. Baronet had denounced the practice of crimination and recrimination, and yet a great part of his speech was made up of personal attacks on one individual or another. He confessed that he did not expect that any attack on him would have proceeded from a Gentleman with whom he had been in habits of intimacy, and the less so when his present state of health was known. Referring to the speech to which the right hon. Baronet had alluded, he might follow the example of others and say, that not having much time to spare, he was not in the habit of reading newspapers, and therefore could not hold himself responsible for what they might publish; but he would not avail himself of that plea. He had no objection to have anything that he said to his constituents made the subject of comment. It was well known that he had been uniformly opposed to the Malt-tax. When asked by his constituents his reason for the course he had pursued with respect to that tax, and the same question, he had no doubt, would be asked by other constituencies, he had told his constituents that he had pressed the Repeal of the Malt-tax on the Government until they were sick of his repeated applications. He had pointed out the necessity of doing something for the landed interest, and showed that the election for Dorsetshire would be lost if nothing was done and that election was lost because nothing was done in that respect. It had been stated in the debate, that hon. Members, not being Chancellors of the Exchequer, were not bound to bring forth specific plans for replacing any tax that might be abolished. He would not state any plans of his, but he might observe that he had endeavoured to impress upon the late Government some notions of his own on that subject, and, perhaps, from the courtesy with which his suggestions had been listened to by the noble Earl (Grey) and the noble Viscount (Melbourne), he might have imagined that those noble Lords were impressed with the same views; but if any impression had gone abroad that the Government had authorised him to declare their intention of repealing the Malt-tax, he was sorry to say it was incorrect. He again must express his regret that such attacks as those he now felt himself called on to reply to, had been made, and made in such a quarter, but he hoped the House would go with him in thinking that they were such as called on him for a reply.

Mr. *Hume* hoped that he should receive a similar indulgence from the House, as he had also been personally alluded to by the right hon. Baronet. He had characterised men to those who knew no better. He meant to say that the right hon. Baronet had described to many who did not know them, the opinions of certain Members of that House, and had said that if such men should form part of the Administration, the Government of the country would be brought into discredit.

Sir *James Graham:* What I said was, that if an Administration were formed consisting of the hon. Member for Middlesex, and others whom I named, the country must expect a Property-tax and a Repeal of the Corn-laws.

Mr. *Hume:* The right. hon. Baronet had better speak out than convey his opinions by insinuations. But he should prefer a Government adopting such measures as those to which the right hon. Baronet had alluded, to that one which would rob the public. The right hon. Baronet could not forget his own proposition to cut down the old coinage from a shilling to a sixpence, and let the loss fall on those who held those coins, which would fall on a large portion of the poor of the country. No man was more closely connected with a plan for the breach of public faith than the right hon. Baronet, and he (Mr. Hume) would repeat that assertion, let the right hon. Baronet take it as he pleased. The right hon. Baronet cried out against crimination, and yet he began by it himself. His own late colleagues had not been exempted from his censure. They had been described as a Babel opposition, as unfit for office, and unworthy of the public confidence. Now, whether the right hon. Baronet was an old or a new Whig, or a clipper of the King's money, urging the payment of only half the nominal amount, he would not say; but when he brought forward charges of this kind, let him look at home—no man was so connected as he was with recommending the breach of public honour and public faith. Let the right hon. Baronet's works speak for him.—[*"They are not his."*]—That might be the case with some, but there were others which were not disputed. He had no doubt that many Members near the right hon. Baronet did not wish to hear any more on the subject, and some of them might feel that their leader was dealt with in a way which they did not expect. The right hon. Baronet had said, that he did not expect to hear any one propose any means of replacing the Malt-tax. He was one who would propose a means of supplying the deficiency. In the year 1822, he had pointed out how eight millions of taxes might be taken off. At that day he was treated as a visionary, but he had lived to see that amount of taxation taken off, and two millions more than he had expected; and he hoped to live to see four millions more taken off, and he begged the indulgence of the House while he explained how this might be done. For his own personal course he had nothing to explain. He had voted against the Malt-tax last year, and he would do so now. The right hon. Baronet seemed to think that only one class of persons was affected by the Malt-tax. He was surprised at this coming from one who had held so high an office as the right hon. Baronet had in the late Government. He (Mr. Hume) held that the labourer, who earned his bread from day to day, was as much interested in the Malt-tax as the farmer or landowner; all classes were interested. He would appeal to those who knew him, whether anything had ever fallen from him, in his desire to effect reduction—whether he had ever said or urged anything which could affect public credit. He had always done his best to support public credit and public faith; and if the Malt-tax were five times its present amount he would vote against its Repeal, if that repeal could be shown to be injurious to public credit or faith with the public creditor. But he did not think that the repeal of the tax would injure public credit; on the contrary, he thought that it would not only help public credit, but it would also tend to improve public morals. It was well known that in proportion as the consumption of malt decreased the consumption of spirits increased. This would be shown by looking to the returns of the consumption of malt in the ten years ending in 1786, and the ten years ending in 1826. In the former period the duty on malt was 10*s.* the quarter, and the population was much less than in the latter; yet the consumption of malt in the latter was not greater than in the former period. This was owing to the increased consumption of spirits. In his opinion, therefore, the House was in duty bound, by the Repeal of this Tax, at once to relieve the community from a heavy burden, and to improve the morality of the country, which had been so deeply injured by the disgraceful reduction in 1823 of the duty on spirits. He now came to the financial consideration of the question—namely, how a deficiency in the revenue of 4,600,000*l.* could be supplied? The House were, perhaps, not aware that the large establishment of Excise-officers which were formerly necessary to collect the tax on beer had been kept up to the present moment, for the purpose of collecting the Malt-tax. The whole expense of the Excise exceeded 1,200,000*l.* Now he (Mr. Hume) was satisfied that if the Malt duty were repealed, 500,000*l.* of that expense might be saved. That would leave only 4,100,000*l.* to be provided for. Now it had been stated by the late Chancellor of the Exchequer, on the 14th of July, that although six millions of taxes had been taken off since the year 1831 the actual loss to the revenue had been only half the amount. The reason was, that the people who had been relieved from those taxes had laid out their money in other articles subject to taxation. He (Mr. Hume) had ventured on that occasion to state that a repeal of taxation to the amount of 7,800,000*l.*, had produced an actual deficiency in the revenue of no more than 1,800,000*l.*, and, therefore, that the late Chancellor of the Exchequer had greatly understated the fact. Taking, therefore, the sum in question at 4,600,000*l.* he was convinced that the only actual loss which they had a right to calculate upon would be two millions and a quarter. This left only 2,100,000*l.* to be provided for, no difficult matter when they took into account the increase of revenue that would accrue from other quarters, in consequence of the reduction on this article. Such, during the last half century, had been the uniform result of any reduction of taxes that had taken place. The noble Lord who preceded the present right hon. Chancellor of the Exchequer, had not hesitated, the year before last, to repeal taxes beyond the amount of the surplus he had in hand, confidently calculating that the reductions he made would be more than made up for by the increase of revenue derived from other taxed articles. His confidence was not misplaced, for did not the noble Lord tell them last year, that his most sanguine calculations had been more than realised. He was entitled, therefore, to rest upon the experience of the past, and say that they might depend upon an increase of revenue from other quarters, if the tax on malt were repealed. The right hon. Baronet, the Chancellor of the Exchequer, had said, in his usual magniloquent style, that the sum sought to be repealed was one-third of the whole disposable taxation of the country; but was this really the case? The late Chancellor of the Exchequer told them in his budget of July last, that 14,500,000*l.* was the amount of charge for the army, navy, ordnance, and half-pay. There was further, a sum of 1,963,000*l.*, which went to the civil list, diplomatic expenses, sinecures, and pensions. The half million on the Civil-list could not be touched; but the other items might be reduced 200,000*l.* Why should they keep up such an enormous diplomatic expenditure for the purpose of making Lord Londonderry ambassador. There were, besides, other charges, amounting to upwards of 3,500,000*l.*, which raised the total of disposable expenditure to 20,000,842*l.* The whole of this might be dealt with except the Civil-list and a portion of the salaries of the Judges. [Sir *James Graham:* And the half-pay.] He would admit, that the half-pay should not be touched; but having made these exceptions, was any man prepared to say, that 3,000,000*l.* might not be saved out of the rest, and very little more than two millions was wanted. If the right hon. Baronet, (the Chancellor of the Exchequer) would only concede the settlement of the Church question in Ireland, a million of this might at once be saved from the military expenses of that country. Or, if he would do justice to the colonies in America, and elsewhere other large sums might be saved in the same department. In Canada alone, 3,000 men, costing 300,000*l.* might be saved. He would then take the militia, the expense of which was a mere waste of 340,000*l.*, and the expense of our volunteer corps. What use was there in keeping those men riding about at the public expense? They ought to be reduced. But take only the expenditure of the 14,000,000*l.*, and was there any Government which could not make a reduction of ten per cent on that amount? There was also the staff, on which a large reduction might be made. He was aware, that there were many hon. Members who had opposed, and who always had been opposed, to all reductions, on the ground, that they were impracticable consistently with the efficiency of the public service. He would mention one case to show the fallacy of such objections. When the right hon. Baronet (Sir James Graham) came into office, he (Mr. Hume) said, that he might reduce 1,500,000*l.* in the navy expenditure, and yet leave the navy more efficient than before. Many Members deemed that impossible, but the right hon. Baronet had made a reduction of 1,300,000*l.*, and left the navy more efficient than he found it. Let them, then, try his plan, and they would find, that the reductions he proposed, could be effected with safety. Let them look at the engineer and storekeepers' departments; and they would find, that a reduction of 200,000*l.* might be effected in these branches. He would say, then, that all who were anxious to effect an economical reduction in the public expenditure ought to vote for the Repeal of the Malt-duties, because, by that means they would force reduction on the Government. They had no prospect of reduction in the King's Speech, or in any other speech that he had heard. In none of these was there any prospect of a reduction of taxation. Let the House, then, force this reduction on the Government in the way he had proposed. But, it might be asked, had he no tax to propose in lieu of that which was proposed to be reduced? He answered, that no new tax was necessary; but if one was necessary, he could state one to which no man could object. There had been taxes proposed, and acts passed, by those who consulted their own interests. The nobles, and those who held large property, made a law, which suited their own views. One act of this kind would illustrate what he meant. One act was passed, by which any person, to whom a bequest was made of 100*l.* must pay, if he were a stranger—that was a person not related by blood—10*l.* to the public revenue out of that legacy, and in proportion less, according to his degree of kindred to the testator. Let a man be ever so poor, or ever so much in need of the bequest, that tax must first be paid. But how was the case with the property left by the rich? He would state one case in illustration. The Duke of Sutherland died lately, and left to his family a property of 240,000*l.* a-year, and on this not one farthing duty was paid to the public. Was this fair, when compared with the tax which the poor man had to pay? He would say, if they wanted an additional tax, and he did not think they would, if the proper reductions were made, let them tax such properties as that which he had mentioned. Let them tax the property of the Duke of Devonshire, and others, who might have large property; let such property be taxed to its full value, and they would find ample means to make good any real loss to the revenue occasioned by the reduction of the Malt-tax. This, however, was not the wish of the land-owners, and it was proved in the case of Mr. Pitt. When that Minister proposed, in 1798, a tax on property, he brought in two bills; one of these taxed the property of large proprietors in the way he had stated; one of these, on the third reading, was carried by only the casting vote of the Speaker, and the next morning Mr. Pitt was informed, that if he persevered, he would lose the support of the country gentlemen. Now, he would ask the right hon. Baronet opposite (Sir Robert Peel) whether he thought he could have any difficulty in making this reduction out of the expenditure, when he (Mr. Hume) had given to the right hon. Baronet four items amounting to nearly one million. In addition to this he proposed a reduction of ten per cent upon the collection of the revenues, which, coupled with the other savings he had pointed out, would leave such ample funds, that every man might, with a safe conscience, vote for the abolition of this tax; and he pledged himself, that the public credit would stand higher in proportion as the ability of the people to pay the taxes was increased. The fewer the taxes, and the richer the people were, the greater their ability to pay taxes, and upon this he depended. The right hon. Baronet had ample means to meet the demands of the public creditor, and what he suggested as capable of being done was a similar reduction as the right hon. Baronet, the Member for Cumberland, had effected in the naval department, should be made in those items of public expenditure, which he (Mr. Hume) had twelve years ago recommended. On these grounds he should support the Motion, and he appealed to those hon. Members, who usually thought with him; but who, on the present occasion, seemed to entertain the erroneous notion, that, in their endeavours to Repeal other taxes, the right hon. Baronet at the head of the Government, would go with them—he entreated his friends to repel this notion, and to join with him in the sentiment, that the Malt-tax was a bad tax, and ought to be repealed, inasmuch as it fell upon that portion of the industry of the country which was least able to bear it. A more erroneous idea never prevailed, than that the Repeal of other taxes would be productive of equal relief; and those would not be the true friends of economy, nor doing that which was due from them to their constituents and to the country, who should join in the opposition to the Motion of the noble Marquess, the Member for the county of Buckingham.

Mr. *Pease* was most anxious to state that he had enough of conscience not to consent to give away between 4,000,000*l.* and 5,000,000*l.* of taxation at the sacrifice ofrleaving the public creditor unprovided for. No just grounds had yet been shown for such a course, and his vote should be a decided negative to the Motion now before the House for the Repeal of so important a portion of the taxation of the country. When he looked to his constituents, he found amongst them a body of men suffering the most poignant distress as agriculturists, but he was bound to believe, from all that he had learnt, that the Repeal of the Malt-tax would be to them of no service whatever. It was said that by the success of this Motion, a barrel of home-brewed beer would be found in every labourer's dwelling; but he begged to state that in his district the labourers were not beer-drinkers, and yet a more happy, healthy, or better-looking class of men, he defied any hon. Member to produce. The Poor-laws had been the real bane of the population of this country. In the course of his canvass he had travelled a district of twenty miles by forty miles, and he had never even been asked to vote for the Repeal of the tax on Malt; and he felt a justification for the course he should this night follow, in the fact that its Repeal would not afford that kind of relief for which his constituents most anxiously looked. At the same time, he was willing to give up the Malt-duties in favour of a Property-tax, considering, as he did, that the latter would more contribute to the happiness and welfare of the country. He had never been asked for a pledge on the hustings, and he was satisfied he was consulting the best interests of the people, and the wishes of the majority of those who had sent him as their Representative in this House, by voting in the negative on the Motion under consideration.

Mr. *Grote* was only induced to rise on the present occasion, in consequence of having been alluded to by the right hon. Gentleman opposite (Sir James Graham). That right hon. Gentleman had revived (in terms of which he did not now complain) some complimentary fancies, and announced to the House a few nights back by his hon. Friend, the Member for North Derbyshire. His hon. Friend had been pleased to connect his (Mr. Grote's) name with a possible Ministry; he, however, regretted such a fancy had ever been started, inasmuch as such a situation was as much above his ambition, as it would be foreign to his taste, his pursuits, and his interests. As the right hon. Gentleman opposite (Sir James Graham) had united his (Mr. Grote's) name, as a Member of a Cabinet, with those of the hon. Member for Middlesex, and of the hon. Member for Southwark, he must be allowed to state, that in his person such a Ministry would not be united upon the question of the Malt-tax. On that question, he held opinions very different from those entertained by the hon. Member for Middlesex, so much so, that he should feel it his duty to vote against the Motion this night proposed by the noble Marquess. He had, in the last Parliament, given a similar vote, and he now saw no reason to alter the course he had before pursued, He was at a loss to conceive how such a blow could be struck at the revenue as would follow the success of the Motion, without endangering the public credit. Even if so large an amount of revenue as that arising from the Malt-duties could be spared, that tax was not the first which he should choose for Repeal. On all points he considered the arguments of the right hon. Baronet opposite (Sir Robert Peel) to be unanswerable, and he rejoiced that the right hon. Gentleman had this evening dealt with, and dispersed so many of the agricultural fallacies so often put forth in this House. It was a mere deception to suppose that by the Repeal of the Malt-duties, the old custom of brewing in the farmers' houses would be restored, and, much as he wished to see that state of society which had passed away restored and secured, yet he entirely despaired of seeing it brought about by any legislative enactment. He was thankful to the House for affording him this opportunity of stating these few words, which he thought necessary in order to signify that on the present occasion at least he had not the good fortune to concur with the hon. Member for Middlesex; at the same time, he entirely and heartily acquiesced in many of the economical recommendations which the hon. Member for Middlesex had urged in the course of his speech, and he should give them his support whenever the hon. Member brought them forward in a separate and tangible shape.

Mr. *Hesketh Fleetwood* said, that one great principle connected with the Question, had been almost wholly lost sight of in the course of the discussion—he meant with reference to the time at which the noble Marquess had brought forward his Motion. The right hon. Baronet, the Chancellor of the Exchequer, had said, that it was unreasonable and improper to move for the Repeal of a tax prior to the introduction of the Budget. He believed that what he (Mr. Fleetwood) was about to state, would be acknowledged to be a pure constitutional doctrine, when he said, that it was as much the duty of the Members of that House, being Representatives of the people, to declare to his Majesty's Ministers what individual taxes they wished to have repealed, as it was the duty of the Chancellor of the Exchequer to bring forward his estimates of the current expenses of the year. If, as had been stated by the right hon. the President of the Board of Trade, last year, with reference to the measure introduced by the Chancellor of the Exchequer, for the Repeal of the House-tax, it was not advantageous to the interests of the country to propose the Repeal of one tax at the time when another was about to be repealed, that was a conclusive argument, that the time for hon. Members to state what taxes ought, in their judgment, to be repealed, was before the Budget was brought forward. But in the debate which had taken place on this question, there had been so little attention paid to the principle, and so much vituperation had been cast by one side of the House upon another, that he wished to call the attention of the Chancellor of the Exchequer to the support which he was upon the present occasion receiving from those who differed from him on other questions. He believed that there were many who opposed the Government upon general subjects, but yet looked to its triumph on this occasion, with a hope that it would lead to the future rejection of the supporters of a Conservative Ministry. If the Members of that House, being chosen as the Representatives of the people, called for the Repeal of a tax, and if there were not sufficient revenue remaining to meet the expenditure of the country, the Chancellor of the Exchequer was not responsible. The hon. Member was proceeding further to address the House, but the cries of "Question" became so loud and general, that he resumed his seat.

Sir *Roger Greisley* said, that having been made the object of personal attack by an hon. Member opposite, he trusted that he should be allowed to say one or two words. In the first place, he must say, that the attack which had been made upon him, came with a bad grace from those on the other side, who, having pledged themselves to support the proposition, that the late Speaker should again take the Chair of this House, and who admitted the fitness of that right hon. Gentleman for that office, had turned round to serve the views of a faction. He dismissed that subject. He could not in that House submit to the charge of inconsistency, which had been raised by the hon. Member upon the terms of a speech which he (Sir Roger Greisley) had delivered during the late election, without stating the grounds upon which he had resolved to alter his course. He felt it incumbent upon him to give his vote against the Motion of the noble Marquess near him, because he held it to be the bounden duty of every true patriot, under the circumstances in which the country was at present placed, to consider, not the mere question of the Repeal of the Malt-tax, but the inevitable result which must follow the success of that Motion—namely, the dissolution of the present Government. It was on these grounds that he held it to be his present duty to alter the vote which he had intended to give, and to vote against the Motion of his noble Friend. He contended, that the suddenness and variety of the changes which had taken place in the political circumstances of the country—circumstances which baffled the keenest foresight—justified a man in voting to-day in a sense contrary to that in which he would vote to-morrow. He knew very well that in giving this vote, he should, to a considerable degree and extent, offend those who had returned him on the present occasion, but he should be ashamed of himself if, for any personal object, he should violate his strict conscientious feelings. He should be ashamed of himself if, with a view to his own individual and personal interests, he should by his vote produce such a result as must inevitably ensue, if the Motion was carried—namely, the turning out of the present Government, and installing in their places a democratical Administration, the object of whose dominion would be the establishment of Annual Parliaments, of Universal Suffrage, Vote by Ballot, the secularization of Church-property, the separation of the Church from the State, the confiscation of private property, the destruction of the hereditary Peerage, national bankruptcy, and civil war. If the noble Marquess would consent to postpone his Motion until after he had given his Majesty's Government a fair opportunity of proposing their measures of agricultural relief, he, for one, would support him on a future occasion. With regard to his constituents, all he had to say was, that he should put to them the question, whether they preferred the loss of the present Government, or the Repeal of the Malt-tax, with the perfect confidence that they would tell him he had done his duty, that they had faith in the integrity of his motives, and approved of the principles which he had professed, and they had believed.

Colonel *Sibthorpe* said, that it had been his intention, at first, to request the indulgence of the House whilst he made a few remarks upon the important question under debate. He would now trespass on their attention only for one second, seeing that an Hon. Friend of his who resided in the same county with him had seconded the Motion of the noble Marquess. No one was more attached than he was to the prosperity of agriculture, since it was the source from which he drew every enjoyment in life. But feeling as he did in the present state of the affairs of the country, and seeing that the late Administration intended by no act of theirs to grant relief to the agricultural interests, and believing that the right hon. Baronet, at the head of one of the most important branches of the Government, was disposed to give every relief to the agricultural interests consistent with the maintenance of the honour and dignity of the State, and thinking that the right hon. Baronet ought to have a fair trial—taking all those circumstances into consideration, and deeming besides that the Motion of the noble Marquess was very premature he could not bring himself to vote in favour of it. He held in his hand several documents which the lateness of the hour prevented him from reading) to prove that the Repeal of the Malt-tax would not be of such very great benefit to the agriculturist. He had heard many persons engaged in agriculture say both at their public meetings and in private, that the Repeal of the Malt-tax would not be of such benefit to the farmer and landowner as his hon. Friend (Mr. Handley) had stated it would be, and those individuals dreaded that a Property-tax would lay a burthen tenfold greater upon them. For these reasons he would vote with the right hon. Baronet, and would continue to do so until that right hon. Gentleman proved himself unworthy of his support.

Mr. *Hodges* on rising, was assailed with general cries of "Divide." He assured hon. Members, that it was always with very great unwillingness that he intruded on their attention. He never made long speeches; but if he were not allowed to offer a few observations in support of his vote on the present occasion, he should be obliged to move the adjournment of the House. Petitions had been intrusted to his care from every part of the county of Kent, praying for a Repeal of the Malt-tax, so that it was impossible for him to give a silent vote on the present subject if he wished to do justice to those numerous petitioners. The thanks of that House, and of the country at large, were due to the noble Marquess for his manly and consistent conduct on this occasion. It was of some consideration that a man of the high rank of the noble Marquess should be seen standing by the pledges given to his constituents. The Resolution of the noble Marquess was judiciously shaped, since it announced the intention of the noble Marquess to bring in a Bill should the House accede to his Resolution, in which all the interests affected by that great measure would be properly secured. The petitions he had the honour to present were from every quarter of the county he represented; and why so? Because the people hoped to be able, and he remembered the time when almost all the agricultural labourers in Kent were able, to brew their own beer. When he heard the right hon. Baronet, at the head of the Treasury Bench, and the right hon. Baronet the Member for Cumberland, alluding to topics of alarm, he would ask them and the House, whether there was any more serious subject of alarm than that of alienating the affections and good feelings of the labouring classes from the landowners, which this tax certainly did? The Resolution of the noble Marquess went to revive the sympathy that formerly existed between the working classes and the higher portions of the community. When he said, that he was prepared to vote for a total Repeal of the Malt-tax, he begged to say, at the same time, that he was as sincere a friend to public credit as any man in or out of that House. He felt satisfied that any defalcation in the revenue caused by the passing of the Bill, introduced by the noble Marquess, would not be so great as not to be remedied by an increase in the amount of the consumption of other taxable commodities. Even though there should be a new tax laid on, it would be one of very small amount. He exhorted county Members to remember the heart-rending scenes they had witnessed in their own counties; to call to mind the distress of the agricultural labourers; to remember their promises on the hustings; but he feared that in the atmosphere they at present breathed, hon. Gentlemen were very apt to forget the distress they saw, and the promises they made elsewhere. He trusted, however, that on the present occasion, they would bear them in mind, and satisfy the wishes of their constituents. He would give his most cordial support to the Motion of the noble Marquess.

Mr. *Hall Dare* hoped he might be permitted for a short time to express his concurrence in the observations that fell from the hon. Member for Kent. It certainly was one of the worst features of the present time to see an alienation of the working classes taking place from persons who filled that rank of society held by the Members of that House, though he did not think that alienation was to be attributed to the cause assigned by the hon. Member. He believed, in his conscience, that that alienation was caused by the writings and speeches made by interested and ambitious persons both in that House and out of it. The right hon. Gentleman, the Member for Cambridge, and the hon. Member for Halifax, asked Gentlemen how they could recocile themselves to vote now in opposition to pledges given on the hustings. He begged leave, for one, to say, that the question did not apply to him, for when he was asked on the hustings to pledge himself to the Repeal of the Malt-tax, or to any other question, he always said, that he disdained making any pledge. With respect to his agricultural constituency he certainly did give, in various speeches made to them, not pledges, but reasons why he should vote for a Repeal of the Malt-tax. He was now bound to state the reasons why he came to a different conclusion. When he entered the House that day no one more sincerely believed than he did that the agricultural interests, and those of the lower classes generally, would be benefitted by a Repeal of the Malt-tax; but the confidence he had in that opinion was much shaken by the arguments of his right hon. Friend (Sir Robert Peel). He confessed, that even if that confidence had not been so shaken, he would vote as he now intended to do, for it was his opinion, that if the result of the vote of that night —if the Motion of the noble Marquess should be successful, and power pass from the hands of the right hon. Baronet and his colleagues into the hands of those Gentlemen designated by the hon. Member for Derby on a former night, the effect would be to strike at the root of public confidence, and, so far from improving the agricultural interests, it would place power in the hands of those who by their speeches, in and out of that House, had shown themselves enemies to the great agricultural body. In the event of a loss of 4,600,000*l.* to the public revenue, the hon. Member for Middlesex had shown no substitute, and the result must be, that Government would not have at their command a sum sufficient to keep up the necessary establishments of the country, and pay the national creditor.

Mr. *Curteis*, although not friendly to the present Ministry, would not violate, to turn them out, a thousandth part of the recorded pledge given by the hon. Member for Derby. He had presented numerous petitions from his constituents against the Malt-tax, and in no Question were they more deeply interested than in the present. Before he had a seat in Parliament he advocated a Repeal of that tax, therefore it could not be now a matter of surprise if he voted for the Motion of the noble Marquess. A substitute might be found for that tax by an equalisation of the Land-tax by which 3,000,000*l.* might be raised without increasing the latter tax, and those persons who now paid 4*s.* per acre Land-tax would then pay only 2*s.*

Mr. *Arthur Trevor* said, that he would detain the House but a few moments, and he thought it but justice that hon. Members should be heard on a Question of such importance. He wished to state briefly why he should vote against the proposition of the noble Marquis. He was as anxious as any one in that House to give the agriculturists the relief they required, but he thought that the Motion of the noble Marquess was unseasonable, and that justice demanded, that they should wait until the right hon. Baronet placed his budget before Parliament, and made them acquainted with the measures of relief he had it in his power to give consistent with his duty as First Minister of the Crown, and consistent with the interests of the country generally.

The Marquess of *Chandos* briefly replied. He regretted that so many hon. Members should have thought that his Motion was brought forward at an unseasonable moment. Had he seen any cause to hope that the right hon. the Chancellor of the Exchequer, in laying before the House his budget, would propose either a Repeal of a part or the whole of the Malt-tax he would not have brought forward the present Motion. But, being convinced that it was not the intention of his Majesty's Ministers to Repeal either the whole or part of the tax it was his duty to bring forward the Motion now. If the Motion should be lost, at all events, the country would see that he had done his duty, and that no blame was to be attributed to him. The right hon. Baronet (the Chancellor of the Exchequer) had expressed some surprise at a statement of his, that the Repeal of the Malt-tax would cause a saving of nearly 90*l.* annually to a farmer rating 200 acres of land. Now, since he made that statement, he had consulted with an individual who happened to be present at the debate, and who held a farm of the above extent of light barley land in the county of Buckingham, and the farmer confirmed the calculation he had made to the House, and, besides, bore him out in the assertion that relief from the county rates and other local burdens contemplated by the right hon. Baronet would not be to the same individual a saving of more than 8*l.* or 9*l.* annually. He regretted that, whenever the Question of the Repeal of the Malt-tax was mooted, it should be met with a cry of "There must be a Property-tax if the other be taken off." That was the case with every existing Ministry. The late Ministry said so when the Question of the Repeal of the Malt-tax was brought forward last year, and he was sorry to see the right hon. Baronet inclining to that opinion. He differed on that point *in toto* from the right hon. Baronet; but when he saw the sense of the House against him there was but little use in his individual opinion. He must state that it was with deep regret he perceived the changes that had taken place on the Question of the Malt-tax in the opinions of many hon. Members—and he experienced great feelings of alarm lest the country should withdraw all confidence from public men. He could not refrain from stating to hon. Members, that if, on the hustings they held out promises to vote for a certain question, and then when in that House changed their votes upon that same question, he would not hide from them that he feared that the result of such inconsistent conduct would be, that the constituency of the country would no longer place in their representatives that confidence which they ought to have in them, and in which the safety and the security of the empire chiefly depended.

The House divided on the Motion—Ayes 192—Noes 350—Majority 158.

[We subjoin the lists which were published of the Division, but it must be observed that they, particularly the Ayes, are inaccurate. The number of names in the minority is not less than 236, while the number of Members who voted was only 192. It is supposed that the list of the Ayes was made up beforehand, more from supposition that the Members whose names are put down would vote for the Motion than from any record of their vote.]

List of the Ayes.

Acheson, Viscount
Aglionby, H. A.
Ainsworth, P.
Alston, R.
Anson, Sir G.
Astley, Sir J. Bart.
Attwood, T.
Bagshaw, J.
Bailey, J.
Bainbridge, E. T.
Barham, T.
Barnard, E. G.
Beauclerk, Major
Beaumont, T. W.
Berkeley, Hn. G. C.
Benett, J.
Biddulph, R.
Bish, T.
Blackburn, J.
Blackstone, W. S.
Blake, M. J.
Blamire, W.
Blunt, Sir C. R.
Bodkin, J. J.
Bowes, J.
Bowring, Dr.
Brabazon, Sir W. J.
Brady, D. C.
Bramston, T. W.
Bridgman, H.
Brocklehurst, J. Junr.
Brotherton, J.
Buckingham, J. S.
Bulwer, E. L.
Bulwer, H. L.
Burdon, W. W.
Burrell, Sir C. B.
Butler, Hon. P.
Cave, O.
Cavendish, Hon. C. C.
Cayley, E. S.
Chandos, Marquis of
Chetwynd, W. F.
Clayton, Sir W. R.
Cobbett, W.
Codrington, C. W.
Compton, H. C.
Conyngham, Lord A.
Cookes, T. H.
Corbett, T. G.
Crawford, W. S.
Crawley, S.
Curteis, H. B.
Curteis, E. B.
Darlington, Earl of
De Beauvoir, Sir J. E.
Denison, W. J.
Dennistoun, A.
Dick, Q.
Dillwyn, L. W.
Dobbin, L.
Don, O'Connor
Duffield, T.
Dugdale, W. S.
Duncombe, Hon. W.
Duncombe, Hon. A.
Durham, Sir P. C. H.
Eaton, R. J.
Edwards, J.
Etwall, R.
Euston, Lord
Evans, Col. de Lacy
Evans, G.
Ewart, W.
Fancourt, C. St. John
Fellowes, Hon. N.
Ferguson, G.
Fielden, J.
Finn, F. W.
Fitzgibbon, Hon. R.H.
Fitzroy, Lord C.
Fitzsimon, C.
Fleetwood, P. H.
Fleming, J.
Foley, E. T.
Folkes, Sir W.J.H.B.
Forester, Hn. G.C.W.
Gaskell, J. Milnes
Gaskell, D.
Geary, Sir W. R. P.
Gillon, W. D.
Gordon, R.
Gore, W. O.
Goring, H. D.

Grattan, H.
Grimston, Viscount
Gully, J.
Hall, B.
Hallyburton, Hn. D. G.
Handley, Henry
Hardy, J.
Harvey, D. W.
Hay, Colonel L.
Hawkes, T.
Heathcote, Sir G.
Heathcote, J.
Heathcote, R. E.
Hector, C. J.
Heneage, E.
Henniker, Lord
Hill, Sir R., Bart.
Hindley, C.
Hodges, T. L.
Hodges, J. T.
Holland, Edward
Hoskins, K.
Hughes, W. H.
Hume, J.
Humphery, J.
Hurst, R. H.
Kemp, T. R.
Kennedy, J.
King, E. B.
Langton, G.
Leader, J. T.
Lemon, Sir C.
Lennard, T. B.
Lewis, D.
Lister, E. C.
Locke, W.
Long, Walter
M'Cance, J.
Maher, J.
Mandeville, Viscount
Marjoribanks, S.
Marsland, H.
Martin, T. B.
Maxwell, J.
Miles, W.
Milton, Viscount
Moreton, Hon. A. H.
Mostyn, Hon. E. L.
Mullins, F. W.
Nagle, Sir R. Bt.
O'Brien, C.
O'Brien, W. S.
O'Connell, M.
O'Connell, D.
O'Connell, J.
O'Connell, M. J.
O'Connell, M.
O'Connor, F.
O'Dwyer, A. C.
Oswald, R. A.
Palmer, C.
Palmer, R.
Parrott, J.
Pelham, Hon. C.A.W.
Perrin, L.
Phillips, M.
Pigot, R.
Plumptre, J. P.
Potter, R.
Poulter, J. S.
Power, J.
Power, P.
Poyntz, W. S.
Richards, J.
Rickford, W.
Rippon, C.
Robinson, G. R.
Roche, W.
Roebuck, J. A.
Rooper, J. B.
Rushbrooke, R.
Ruthven, E. S.
Ruthven, E.
Scholefield, J.
Scott, J. W.
Scourfield, W. H.
Scrope, G. P.
Seymour, Lord
Sheldon, E. R. C.
Simeon, Sir R. G.
Sinclair, G.
Smith, Benjamin
Spiers, G.
Spiers, A.
Spry, Sir T.
Strickland, Sir G.
Stuart, J.
Sullivan, R.
Surrey, Earl of
Talbot, C. R. M.
Talbot, J. H.
Tancred, H. W.
Tennyson, Rt. Hon. C.
Thompson, P. B.
Tollemache, A. G.
Tooke, W.
Townley, R. G.
Townsend, Lord J.
Tracy, C. H.
Trelawney, Sir W.
Trevor, Hon. G. R.
Troubridge, Sir R.
Tulk, C. A.
Turner, W.
Tynte, C. J.
Tyrrell, Sir J. T.
Vere, Sir C. B. Bart.
Villiers, F.
Vivian, J. E.
Wakley, T.
Walker, C. A.
Wallace, R.
Walter, J.
Weyland, R.
Whalley, Sir S.
White, S.
Wigney, I. N.
Wilkins, W.
Wilks, J.
Williams, W.
Williams, Sir J.
Wilmot, Sir J. E., Bt.
Wilson, H.
Winnington, Sir T.
Winnington, H. J.
Wodehouse, Hn. E.
Wood, M.
Wyse, T.
Yorke, E. T.
Young, Sir W. L.

List of the NOES.

Adam, C.
Agnew, Sir A.
Alford, Lord
Alsager, Captain
Andover, Lord
Arbuthnot, Hon. H.
Archdall, M.
Ashley, Lord
Ashley, H.
Attwood, M.
Bagot, Hon. W.
Bailie, H. D.
Baines, E.
Balfour, T.
Bannerman, A.
Barclay, D.
Barclay, C.
Baring, T.
Baring, H. B.
Baring, W. B.
Baring, F. T.
Baring, F.
Baring, Rt. Hon. A.
Barneby, J.
Bateson, Sir R.
Beckett, Sir J.
Bell, M.
Bentinck, Lord G.
Beresford, Sir J. P.
Berkeley, Hon. C.
Bernal, R.
Bethell, R.
Bewes, T.
Blackburne, J. J.
Boldero, H. G.
Bolling, W.
Bonham, F. R.
Borthwick, P.
Bradshaw, J.
Brodie, W. B.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Brudenell, Lord
Bruen, Colonel
Bruen, F.
Bulkeley, Sir R. B.
Buller, Sir J. Y.
Buller, E.
Buller, C.
Burdett, Sir F.
Buxton, T. F.
Byng Sir J.
Calcraft, J. H.
Campbell, Sir H. P.
Campbell, J.
Canning, Sir S.
Carruthers, D.
Carter, J. B.
Castlereagh, Viscount
Cavendish, Hon. G.H.
Chalmers, P.
Chaplin, T.
Chapman, A.
Charlton, E. L.
Chatterton, Colonel
Chichester, A.
Chichester, J. P. B.
Churchill, Lord C.
Clay, W.
Clements, Viscount
Clerk, Sir G.
Clive, E. B.
Clive, Viscount
Clive, Hon. R. H.
Codrington, Sir E.
Colborne, N. W. R.
Cole, Hon. A. H.
Collier, John
Conolly, E. M.
Cooper, E. J.
Coote, Sir C. H., Bart.
Copeland, W. T.
Corry, Hon. H. L.
Cowper, Hon. W. F.
Crawford, W.
Crewe, Sir G., Bart.
Cripps, J.
Crompton, S.
D'Albiac, Sir C.
Dalmeny, Lord
Damer, D.
Dare, R. W. H.
Davenport, J.
Denison, J. E.
Divett, E.
Donkin, Sir R. S.
Dottin, A. R.
Dowdeswell, W.
Dundas, R. A.
Dundas, Hon. J. C.
Dundas, Hon. T.
Dunlop, C.
East, J. B.
Eastnor, Viscount
Ebrington, Viscount
Egerton, W. T.
Egerton, Sir P. de M.
Egerton, Lord F.
Elphinstone, H.
Entwistle, J.
Estcourt, T. G. B.
Fazakerley, J. N.
Fector, J. M.
Fergus, J.
Fergusson, Rt. Hn. R. C.
Ferguson, R.
Fielden, W.
Fitzsimon, N.
Finch, G.
Follett, Sir W. W.
Forbes, Lord
Forbes, W.
Forster, C. S.

Fort, J.
Fox, C. R.
Fremantle, Sir T. F.
Freshfield, J. W.
Gisborne, T.
Gladstone, W. E.
Gladstone, T.
Glynne, Sir S. R.
Goodricke, F. L. H.
Gordon, W.
Goulburn, Rt. Hn. H.
Graham, Sir J. R. G.
Grant, Hon. F. W
Grant, Rt. Hon. C.
Grattan, J.
Greene, T.
Greisley, Sir R.
Greville, Sir C. J.
Grey, Sir G. Bt.
Grimston, Hon. E. H.
Grosvenor, Lord R.
Grote, G.
Halford, H.
Halse, J.
Hamilton, Lord C.
Hanmer, Sir J., Bart.
Hanmer, H.
Harcourt, G. V.
Hardinge, Sir H.
Harland, W. C.
Hawkins, J. H.
Hay, Sir J., Bart.
Hayes, Sir E. S., B.
Hawes, B.
Herbert, Hon. S.
Heron, Sir R.
Herries, Rt. Hn. J. C.
Hill, Lord A.
Hogg, J. W.
Hope, Hon. J.
Hope, H. T.
Houldsworth, T.
Howard, Hn. E. G. G.
Howard, P. H.
Howard, R.
Howick, Viscount
Hoy, J. B.
Hutt, W.
Inglis, Sir R. H., Bart.
Irton, S.
Jackson, J. D.
Jephson, C. D. O.
Jermyn, Earl of
Johnstone, J. T. H.
Johnstone, Sir J.
Johnston, A.
Jones, T.
Jones, W.
Kavanagh, T.
Kearsley, J. H.
Kelly, F.
Ker, D.
Kerrison, Sir E.
Kerry, Earl of
Kirk, P.
Knatchbull, Sir E.
Knox, Hon. J.
Labouchere, H.
Lambton, H.
Lawson, A.
Lee, J. L.
Lefevre, C. S.
Lefroy, Rt. Hn. T.
Lefroy, A.
Lennox, Lord J. G.
Lewis, W.
Leycester, J.
Lincoln, Earl of
Littleton, Rt. Hn. E. J.
Lock, J.
Lowther, Lord
Lowther, Hn. H. C.
Lowther, J. H.
Lucas, E.
Lushington, Dr.
Lushington, C.
Lygon, Hn. Col. H. B.
Mackenzie, A. J. S.
Mackinnon, W. A.
M'Cleod, R.
M'Taggart, J.
Mahon, Lord
Manners, Lord R.
Marsland, T.
Martin, J.
Mathew, Captain
Maule, Hon. F.
Maxwell, H.
Meynell, Henry
Miles, P. J.
Miller, W. H.
Molesworth, Sir W.
Mordaunt, Sir J., Bt.
Morgan, C. M. R.
Morpeth, Viscount
Mosley, Sir O., Bart.
Murray, J. A.
Neeld, J.
Neeld, Joseph
Nicholl, J.
Noel, Sir G.
Norreys, Lord
Oliphant, L.
O'Neill, Hn. J. R. R.
Ord, W. H.
Ord, W.
Oswald, J.
Owen, Sir J. Bart.
Parnell, Sir H. Bt.
Parker, J.
Parry, Colonel
Patten, J. W.
Pattison, J.
Pease, J.
Pechell, Capt.
Peel, Sir R. Bart.,
Peel, Rt. Hn. W. Y.
Peel, Colonel
Peel, E.
Pelham, J. C.
Pemberton, T.
Penruddocke, J. H.
Perceval, Colonel
Phillipps, C. M.
Phillips, G.
Pinney, W.
Polhill, F.
Pollington, Viscount
Pollock, Sir F.
Powell, W. E.
Praed, W. M.
Praed, J. B.
Price, S. G.
Price, R.
Price, Sir R.
Pringle, A.
Pryme, G.
Pusey, P.
Rae, Sir W., Bt.
Ramsbottom, J.
Ramsden, J. C.
Reid, Sir J. R.
Rice, Rt. Hon. T. S.
Robarts, A. W.
Ridley, Sir M. W.
Rolfe, R. M.
Ross, C.
Rundell, J.
Russell, Lord J.
Russell, Lord W.
Russell, C.
Ryle, J.
Saunderson, R.
Sandon, Viscount
Scarlett, Hn. R. C.
Scott, Sir E. D.
Sheppard, T.
Sibthorp, Colonel
Smith, A.
Smith. R. V.
Smith, R. S.
Smyth, Sir G. H. Bart.
Somerset, Ld. C. H. G.
Somerset, Ld. R. E. H.
Stanley, Lord
Stanley, E.
Stanley, Hon. H. T.
Stanley, E. J.
Steuart, R.
Stewart, Sir M. S.
Stewart, P. M.
Stormont, Viscount
Strutt, E.
Stuart, Lord J.
Sturt, H. C.
Tennant, J. E.
Thomas, Colonel
Thompson, W.
Thomson, Rt. Hn. C. P.
Thornley, T.
Trench, Sir F.
Trevor, Hon. A.
Turner, T. F.
Twiss, H.
Vaughan, Sir R. W.
Verner, W.
Verney, Sir H., Bart.
Vernon, G. H.
Vesey, Hn. T.
Villiers, C. P.
Vivian, C. C.
Vivian, J. H.
Vyvyan, Sir R. R.
Walker, R.
Wall, C. B.
Warburton, H.
Ward, H. G.
Welby, G. E.
Wemyss, J.
Westenra, Hon. H. R.
Westenra, Hon. J. C.
Wilbraham, Hn. R.
Wilde, Mr. Serj.
Williams, R.
Williams, T. P.
Williamson, Sir H.
Wood, T.
Wood, C.
Worcester, Marq. of
Wortley, Hn. J. S.
Wrightson, W. B.
Wrottesley, Sir J.
Wyndham, W.
Wynn, Sir W. W.
Wynn, Rt. Hn. C. W.
Young, G. F.

TELLERS.

Clerk, Sir G.
Wood, Mr. C.

PAIRED OFF.

FOR.	AGAINST.
Seale, Lieut.-Colonel	Pendarves, E. W.
Roche, D.	Ferguson, Sir R.
Methuen, P.	Hobhouse Sir J.

HOUSE OF LORDS,

Wednesday, March 11, 1835.

MINUTES.] Bills. Read a second time:—Chester Criminals Execution.

Petitions presented. By the Earl of MULGRAVE, from towns in Yorkshire, against a too rigid enforcement of the Factory Act.—By the Duke of RICHMOND, from Places in Yorkshire, complaining of Agricultural Distress.

HOUSE OF COMMONS,
Wednesday, March 11, 1835.

MINUTES.] New Writ ordered. A new Writ was ordered to be issued for the Election of a Member to serve for the University of Cambridge in the room of Sir CHARLES MANNERS SUTTON called to the Upper House.

Bills. Read a first time:—Transfer of Aids and Exchequer Bills.

Petitions presented. By Mr. SINCLAIR, from Corgach and Berriedale, for Extended Accommodation for the Church of Scotland.—By an HON. MEMBER, from Northchurch, for the Repeal of the Malt-Duty.

EAST INDIA COMPANY'S MARITIME OFFICERS.] Mr. *Robinson* rose to present a Petition from certain Maritime Officers of the East India Company, who were excluded from the compensation granted by the Act 3 and 4 of William IV., cap. 85. He begged to call the attention of the House to the Act passed last Session, which was commonly called the East India Act. In it there was introduced a clause enabling the East India Company to grant Compensations to Officers for the loss they sustained by the cessation of the trading privileges of the Company. The Act did not determine the precise rule by which compensation was to be granted, but it left it in the power of the East India Company to deal as they thought proper with their own servants in matters of compensation. But while Parliament gave to the East India Company the power of apportioning the compensation which was to be given to the individuals engaged in their service, it reserved to itself the right of revising, and, if necessary, reconsidering, any scale of remuneration which the Board of Directors might make, which he thought must be apparent to every one who read the seventh section of the East India Company's Act, passed in the last Session. After reciting the nature of this compensation, the Clause went on to say, "Provided always that no such compensation, superannuation, or allowance whatsoever shall be granted until two months after the particulars of such compensation, superannuation, or allowance shall have been laid before the two Houses of Parliament." Such was the language of the Act, and he would therefore ask every hon. Member who listened to him whether any scale the Directors, even with the sanction of the Board of Control, might think fit to make, could be considered as final and conclusive? If it were, what was the object in providing that it should be laid before Parliament, or could any man doubt that such a provision as the one to which he had alluded was inserted for the express purpose of enabling that House to see that justice was done to the parties entitled to the benefit of the law? Under the Clause to which he had referred it was, in his opinion, clear that Parliament had the power of sending this scale back to the Directors for revision and reconsideration, and this being also the impression of the Gentlemen from whom the petition proceeded, they had, when refused redress elsewhere, determined on having their case brought before that House. From the statement of the petition it appeared that the East India Company had formed a most unjust and arbitrary rule with respect to the manner in which they awarded compensation to the Officers of their Maritime service. They drew a line of demarcation by which every Officer who had been on shore, no matter from what cause, prior to the 28th of August, 1828, and had not been afloat subsequently, was altogether excluded from receiving any compensation under this Act, but by what authority such an arbitrary line was drawn he was wholly at a loss to conjecture.—This rule, however, had inflicted great hardship on a number of highly meritorious individuals, and from what he knew of them he must say that their exclusion was alike injurious to the feelings of honourable men and unjust as far as principle was concerned. Before such a rule could be applied it should be shown that these individuals had actually quitted the service; but if an Officer had not quitted the service surely it was going a little too far to say, that because he had not been afloat within the time specified, he was, therefore, to be deprived of his right to compensation, and that too, although his remaining on shore was no fault of his own, but arose out of circumstances over which he could have no control? for instance, ill health, the loss of his ship, or a preference given to another Officer. Now he did not think that there was any person in that House who would be prepared to defend such a rule as this. The rule he was prepared to assert was a bad one, and he would lay it down as a proposition that the non-employment for five years of men who had devoted their lives to the service of the Company never could have been intended by the Legislature to operate in such a way as to exclude them from that fair compensation to which they were entitled. He found on looking over the minutes of the proceedings of the Board of Directors that a much wider space was originally intended to be taken as the criterion for awarding compensation. It was originally proposed, that if an Officer had not been afloat for ten years prior to the passing of the Act, he ought to be excluded from receiving compensation; and had that course been taken, he verily believed that not one of those petitioners would have been passed over. It was neither his duty nor inclination to complain either of the East India Directors or the Board of Control; but it was his province to show that the gentlemen whom this arbitrary rule had excluded, had as strong, if not in many instances much stronger, claims to compensation than a great many of the Officers who had been included in the arrangement. He was fully satisfied, from what he knew and had heard of the services of the meritorious individuals, on whose behalf he appeared, that they were entitled to the relief which they now sought at the hands of that House; but, although such was his conviction, he hardly knew what course to pursue in order to obtain for them redress. He might, perhaps, be at liberty to move that the scale should be sent back to the Directors for revision, or that the matter should be referred to a Committee of that House; but, before he took any step upon the subject he wished to have the opinion of more experienced persons than himself; and the discussion which was likely to ensue on the present occasion would, he anticipated, furnish him with all the information in this respect which he required. All he now proposed doing was, to have the petition placed upon the Table of that House; but unless he heard some suggestion from an hon. and learned Gentleman opposite, who was officially connected with the Board of Control, from which he could infer that there was no indisposition on the part of that Board to entertain the case of these petitioners, he certainly should feel it his duty to bring the subject forward in another shape on some future day. By the rule to which he had alluded no less than 100 officers were excluded from all hope of compensation, although many of them had spent fifty years in the service. Most, if not all of them, had participated in those brilliant exploits which had rendered the navy of the Company second only to the naval service of the mother country; and, therefore, these petitioners had strong claims upon the Company, both on public and commercial grounds. It was clearly the object of Parliament that such services should be rewarded as they deserved to be, and the East India Directors were not warranted in adopting a rule that amounted almost to a denial of justice. He could cite many instances in which persons, less deserving, had been declared entitled to compensation; but he would not, because he felt assured that there was every inclination on the part of that House to see that justice was done to these parties. It might, however, be said that Parliament had no power to interfere with the decision of the Board of Control; but if that were so, why was the clause that no scale should be finally adopted until it had been laid for a given time upon the Table of that House introduced into the Act? The right of that House to interfere was incontrovertible, and he could not see why the claims of the maritime servants of the Company should not be as strong as those of the civil and military servants, when the maritime service was coeval with the Company itself. All these petitioners, it should be borne in mind, had entered the service in early life, and had pursued it for many years as their profession; and, that being the case, had they not a right to say, that any rule was unjust which went to deprive one-fifth of the whole number of the officers employed in the Company's navy of any remuneration for the loss of their profession? Without intending anything like disparagement, he must say, that the merits of the officers who were thus left unprovided for, were, at all events, equal to those of their more fortunate brethren; and by the great measure consummated last year, it could not have been intended that mere youngsters should receive compensation, while men who had served for a period of fifty years were denied it. But he would not believe that the House would give its sanction to such a proceeding. He could assure hon. Members that it was not until those Gentlemen had exhausted all other means of obtaining redress that they determined on seeking relief of that House. It was impossible that the rule to which he had referred could be final; and this, he thought, might be inferred from a letter which Lord Ellenborough, the President of the Board of Control, had lately written to the petitioners, in reply to an application which they had made to him. In that letter the noble Lord said, that the plan or scale of compensation which had been adopted appeared to him to be as binding as the law itself, and that no power but that of Parliament could alter or modify it. That was, in fact, an admission that Parliament had such a power, in which opinion he (Mr. Robinson) entirely concurred. Indeed, the matter was incapable of a doubt. The petitioners, he could assure the House, were not actuated by any feelings of jealousy against their more fortunate brother officers. They utterly disclaimed anything of the kind; and all they asked for was to have justice done to them without wishing in any way to prejudice any other party. He hoped their claims would receive the favourable attention of that House; and, as there was no limit to the sum out of which the compensation was to come, he could see no reason why these petitioners should not now be included in the arrangement. It was thought originally that a million of money would be required to cover the engagements of the Company with their servants; but, as less than half that amount had been found sufficient for the purpose of awarding them the necessary compensation, there would be no occasion to disturb the present scale, even if these petitioners were included in it, as the addition would not exceed from 100,000*l.* to 120,000*l.* He trusted that the Board of Control would reconsider this matter; but if they did not, all he could say was, that he should take an early opportunity of bringing the subject forward again. He should then probably move to have it referred to a Select Committee to say, whether the rule established by the Directors was conformable, or at variance, with the spirit of the Act. The hon. Gentleman then read the prayer of the petition, and moved for leave to bring it up.

Mr. *Cayley* supported the petition, and said, that if the petitioners were really entitled to compensation, they ought to receive it, especially if their services were long and meritorious.

Mr. *Praed* admitted, that the question deserved serious attention, and that the petitioners were highly meritorious individuals. The hon. Member was mistaken if he supposed that the India Board had had any share in fixing or sanctioning the rule laid down by the Directors of the East India Company; he was mistaken, also, in representing that a wider line had once been contemplated by that body; on the contrary, the proposition was once entertained by them, that no officer should receive compensation who had not been on board within the last three years and a half. The fact was, that compensation had been granted by the Act, not for past services, but for prospective losses, on the supposition that the claimants would have continued employed, but for the passing of the Act. Past services he hoped had been duly remunerated by the pay the officers had received while performing those services. It ought to be recollected, also, that the officers of ships chartered by the East-India Company were not selected by that body, but by the owners, so that, under no circumstances, could they have any just right to compensation. The case of the civil servants of the Company was widely different, as they were entitled to retired allowances after a certain period. He trusted that the distinguished abilities of the petitioners would render the loss of which they spoke less serious than they anticipated.

Mr. *Clay* would instance a case of severe grievance under the present regulation. A very deserving and highly-meritorious officer, who had served for nineteen years in the maritime service of the Company, happened to be for the last six years out of employment; and, in consequence of the late regulation, by the mere accident of losing one year in the period so arbitrarily provided, he, together with a large family, had been deprived of all allowance, notwithstanding his long previous servitude.

Mr. *Hume* begged to direct the attention of the right hon. Baronet (the Chancellor of the Exchequer) to the situation in which the House was placed. The Question was whether the House, in the discretionary power which the House had granted to the Board of Directors to make compensation to persons claiming for injury done to them by the Act of last Session, had reserved to itself a power to alter or rescind the regulations made by the Board? The Question was an important one, and he thought ought to be allowed to stand over until that day week, when the House would be better prepared to take it up.

The *Chancellor of the Exchequer* regretted that the discussion had been protracted so long in the absence of the late President of the Board of Control, and of the hon. and learned Member for Kirkcudbright (Mr. Cutlar Fergusson), who, in all probability, could have stated to the House the principles on which the Board of Directors had acted in awarding the compensations, while the late President of the Board of Control would have been enabled to explain the ground on which he was induced to confirm the order. He could also have stated the precise object of the words to which reference had been made. He confessed he did not know what was the object of laying on the Table the award of the Court of Directors, and afterwards inserting those words in the Act, if it had been intended to reserve to Parliament the power of reviving and revising all these questions. He certainly thought that Parliament had intrusted to the Court of Directors and Board of Control the joint authority of making this arrangement, and, in his opinion, it ought to be a very strong case indeed, to induce Parliament to set their judgment aside, and admit new claims to compensation. Hon. Members of that House very often laid down the strictest principles of economy, but when private claims were to be considered, they at once set aside their own opinions, and thus gave the country some ground for supposing, that when party questions were agitated, they were extremely anxious to enforce economy, but merely for the purpose of annoying or prejudicing the Government. Every Gentleman had admitted that private applications had been made to him on this subject. He was quite satisfied that no body in existence was so liberal as the House of Commons when there was no party question at stake. Why, there was scarcely a case which the late Government had decided on, which he had not been called upon to review since he entered office. It had been represented to him again and again, "Here is an act of injustice; *now* is the opportunity, set it right." The principle on which he had acted was this—"The decision was given by a competent authority. I do not believe they intended to do injustice; there must be an end to litigation on these points; and the time of the public departments would be wholly and entirely consumed in revising the acts of their predecessors, if the presumption were not to be adopted that justice has been done." He had refused, in every case, to re-open claims to compensation which had been settled by the late Government; and, on the same ground, he would advise the House—having given the Court of Directors and the Board of Control authority to award these compensations—to presume that they had acted honestly, and not (without a very strong case) to discourage the public departments in their attempts to enforce economy, by opposing their proceedings, and showing them that they had not acted in accordance with the sense of the House of Commons, if they had adhered to the strictest principles of economy.

Mr. *Robinson* would not disturb the awards of the Directors, except in cases where sufficient ground was given for so doing. He did not wish to trespass on the patience of the House. He had given notice of his intention to the late President of the Board of Control, and also to the hon. and learned Member for Kirkcudbright, who concurred with him in thinking that the cases were open for the consideration of Parliament.

Mr. *O'Connell* insisted that the distinction drawn with regard to the compensation was both arbitrary and capricious. The Directors' reading of the words, " now, or heretofore," in the Act was curious indeed. This wording they, by a monstrous construction, made to signify " since the 1st of August, 1828." There was no reason whatsoever for this arbitrary selection.

Petition to be laid on the Table.

PROPOSED NEW WRIT FOR THE NORTH DIVISION OF NOTTINGHAMSHIRE.] Mr. *Vernon* rose to move that the Speaker should direct a new Writ to issue for the North Division of the County of Nottingham, in the room of Lord Lumley, now Earl of Scarborough. The circumstances under which he submitted the Motion to the House, were unusual, but by no means unprecedented, and he believed that, in the course he was about to pursue, he should follow strictly what had been the ordinary practice in similar cases. Lord Lumley, now Earl of Scarborough by descent, his father having recently died, had not yet received the writ of summons to take his seat in the House of Peers. In Hatsell, a conversation was recorded, which took place between Mr. Speaker Onslow and Lord Egmont, upon the occasion of the latter, on the 20th of May, 1760, applying to the Speaker "before the House sat, to acquaint him, that he intended to move the House for a new writ for the county of Kent, in the room of Mr. Watson, who was made a Peer. Mr. Onslow told him, that the form of his Motion must be 'in the room of Lewis Monson Watson, Esq., called up to the House of Peers,' and that the House received the Motion, upon the authority of the hon. Member who made it. Lord Egmont said, that Mr. Watson had kissed the King's hand, and he supposed that was sufficient. * * * * Mr. Onslow said, it was therefore Lord Egmont's duty to consider, whether he would take upon himself to inform the House that Mr. Watson was called up to the House of Peers, and to assist him in that determination, he would acquaint his Lordship with some points to ground his judgment upon. A person becomes a Peer either by descent or by creation. When by the former, the instant the ancestor dies, the heir becomes a Peer, and his seat in the House of Commons is immediately vacant, and there is no necessity to wait for the issuing of the writ to call such heir to the House of Peers, for it is only a writ of summons to attend his service there, and without it, or though he should never take his seat there, he is, to all intents and purposes, whatsoever, a Peer of the realm. And if, in some particular case, or to answer any particular purpose, this writ of summons should be delayed to be issued, the House of Commons would, nevertheless consider his seat amongst them as vacated, and would order a new writ. In the case of the late Lord Carlisle, when upon the death of his father a new writ was moved, the Speaker said he had asked the mover of it whether the writ of summons had been issued, but that this proceeded merely from curiosity, his seat in the House of Commons being vacant, whether it had issued or not." The House would perceive from this extract, that Mr. Onslow was decidedly of opinion that it was not necessary to wait for the issuing of the writ of summons, before a new writ could be moved for. Whether the present Speaker was disposed to exercise the same species of curiosity as his predecessor, he knew not, but, at all events, he would inform the House, that the Earl of Scarborough had authorized him to move for the new writ, he having applied for the writ of summons ten days ago, but in consequence of his father not having taken his seat in the House of Lords, there was some difficulty in proving his succession, and therefore the writ of summons had not been issued. He might, perhaps, be allowed to call the attention of the House to another precedent, which he found in the note to the text in Hatsell, which he had just read to the House. It was as follows:—"On the 10th of January, 1811, a motion was made for a new writ in the room of Lord Viscount Dursley, now Lord Berkeley, and the House granted it, although the mover declined to allege that he was called up to the House of Peers, upon a distinction between the case of an heir-apparent (like this case) and the case of collateral descent like General Bertie's." He thought that seats in that House ought not to depend upon circumstances which might prevent an individual from taking his seat in the other House of Parliament, and that a constituency should not be deprived of its Representative by circumstances so entirely collateral as those which operated in the present case. The hon. Member concluded by moving that "the Speaker should issue a new writ for the North Division of the County of Nottingham, in the room of Lord Lumley, now a Peer of the United Kingdom."

The *Speaker*, after having heard the statement made by the hon. Member, and the Motion which he had submitted to the House, felt himself called on to declare, that in his opinion, it would be highly inexpedient for the House to direct that the writ should be issued. The only safe and certain evidence on which the House could act was, that a Member had received his writ of summons, and had been called up to the House of Peers. If there were any doubt as to the fact of a Member of this House being entitled to be a Peer, that was a question which the House could not decide, and therefore the safest course was to act only when the Member had received his writ of summons. What occurred in the case of Lord Dursley, to which the hon. Member alluded, was, as it appeared to him, only an additional reason for adopting the course which he had ventured to recommend, and ought to make the House exceedingly cautious of acting on any other than the most conclusive evidence.

The *Chancellor of the Exchequer* thought that the view which the Speaker took of the question, was conformable to the dictates of both justice and common sense. The House would do well to act upon the right hon. Gentleman's opinion, and abstain from issuing the writ for the election of a new Member, until they ascertained that the writ of summons had been issued. It would not be right for the House, in the present state of its information upon the question, to subject a county to the inconvenience of a new election. There was another point of view in which the question ought to be considered. Suppose, in the case of a contested Peerage, the House of Commons should issue a new writ, on the allegation that one of its Members had succeeded to the title, would not that be prejudicial to the interest of his opponent? If the party should not, after all, establish his claim, he would have been deprived of his seat in that House.

Mr. *Vernon* said, that with reference to what had just fallen from the right hon. Baronet, it appeared to him, that if a Member voluntarily vacated his seat, he could have nothing to complain of, even though he should fail to establish his title to a Peerage. The doctrine of the right hon. Baronet might, in practice, operate unjustly upon a constituency. The late Earl of Scarborough never would take his seat in the House of Lords, and, therefore, if he had been a Member of the House of Commons at the time he succeeded to the title, the county of Nottingham might practically have been without a Representative for many years. With respect to the Motion, he certainly would not press it, since the Speaker's opinion was against him.

The *Chancellor of the Exchequer* would be sorry to have it understood that he had laid down any fixed rule in a matter with respect to which he had never heard a word before that moment. He was indeed sorry to be forced to come to a decision on a question of so much importance without previous notice. It did, however, appear to him that it would establish a most improper precedent if the House should consent to the present Motion. Suppose the noble Lord should fail to establish his claim, would it be proper in the mean time to deprive him of his seat, and the county of Nottingham of its right to his services? He apprehended that, until the writ of summons should be issued, the noble Lord would be entitled to exercise the privileges of a Member of the House of Commons.

Mr. *Wynn* said, he divided in the minority on the question of issuing the writ for the election of a new Member in Lord Dursley's case. The House of Lords afterwards rejected his claim to the Peerage and he (Mr. Wynn) had no doubt that the issuing of the writ for the Election of a Member having been founded on false representations was altogether void. The House would do well to avoid the possibility of such an occurrence happening again.

Dr. *Lushington* concurred in the objections which had been taken to the Motion. To issue a new writ on the allegation that a Member was a Peer, before he had been so declared by the Lords, would be prejudging the judgment of that assembly. No inconvenience could possibly arise from delaying the issue of the writ, whilst a contrary course might be attended with great danger. Under these circumstances there was no safety except in adhering rigidly to the rule laid down by the chair.

Lord *John Russell* regretted, that the Question had been brought before the House without notice. He would vote against the Motion, on the ground that there was no imperious necessity for issuing the writ at the present moment. If circumstances should arise to alter the state of the case, he should feel himself at liberty to change his opinion.

Motion withdrawn.

Business of the House—Adjourned Debate.] The Order of the Day was read for the adjourned debate on the Motion, that no new business be commenced after 11 o'clock.

The *Chancellor of the Exchequer* put it to the hon. Member for Liverpool, (Mr. Ewart), whether it would not be better to reserve to the House on each evening a discretionary power of determining as to the importance of attending to the business which they had before them, rather than fetter themselves by a general resolution like that now proposed. There were some matters, for instance, which he (Sir R. Peel) thought should not be brought on later than ten o'clock. On the other hand, and especially towards the close of the Session, there were very necessary forms to be gone through, upon which there could be no doubt of the sentiments of the House; such as the third readings of Bills, to which the House had already consented, which he thought would be very inconvenient to postpone, and which very often must be postponed if this Motion were agreed to. If the House were fit to legislate at all, it surely might at all times determine at what hours it would be proper to do so. If this resolution were agreed to by the House, it would imply a diffidence of their own discretion which was not at all called for.

Mr. *George Young* said, that on this subject he did feel great diffidence of trusting to the discretion of the House. He would ask, whether it was decent that after midnight, a score of important Acts should be passed through different stages, as he, during his own experience had seen take place. It was this course of proceeding which brought discredit upon the Legislature, and created much mischief and confusion in the administration of the law. Much of the business of the House consisted in repairing the errors into which they had fallen in this way. As a man of business, he knew that when Gentlemen had unlimited time to do any business in, much of that time was occupied very unprofitably; and he was inclined to think that if the House of Commons were in some measure limited in their hours, they would get through more business than they did at present, and that some hon. Gentlemen, in consideration of the important business that was to be done, would occupy less time in long speeches and useless discussions.

Mr. *Cutlar Fergusson* said, he had seen most important questions brought on in that House after twelve o'clock at night, ay, after one and two o'clock in the morning. He had seen Bills going through their second readings on such occasions, especially Bills relating to Scotland. He did not think that such a general rule as that proposed by the hon. Member for Tynemouth would be practicable, but he questioned, whether a regulation might not be adopted by which it should be laid down as a rule that the important stages of Bills should not be brought on after a certain hour.

Lord *John Russell* feared that if they were to lay down a general rule of the kind proposed it would not conduce to the convenience of the House, nor to the furtherance of public business. Nevertheless, he thought some course might be adopted to remedy the evil which undoubtedly existed at present. For instance, if before going into the first Order of the Day all the Orders of the Day should be read over, and their respective advocates called upon to declare whether they intended to proceed with them or not, Members who had proposed to themselves to take part in them would know whether and when they would be likely to be wanted.

Mr. *Warburton* said, that he conceived it to be absolutely impracticable to limit the time in which the House would find it possible to get through the business of the Session. The business ought to be done, however, and they must have sufficient time to do it in, either by beginning at an earlier hour in the day, or by encroaching upon the hours of the night.

Mr. *Hume* thought, the House ought to come to some conclusion on the subject; it was improper to do important business of such unseasonable hours as one and two o'clock in the morning. It frequently happened that Members, exhausted by the business of the day, were obliged to leave the House, and, in their absence, measures in which they were deeply interested, were carried. He admitted that every plan of arrangement was full of great difficulties, but any plan was better than the plan now acted on. He would rather meet at ten in the morning than continue after twelve at night. If the present system was persevered in there would be an accumulation of Bills which must be disposed of at a late hour, in a thin House.

Colonel *Sibthorpe* agreed with the hon. Member opposite that business should be well done; but when the time of the House was wasted by long and often idle discussion, they should not get over important Bills on the ground that the time for their consideration was too late.

The *Chancellor of the Exchequer* had always understood the rule to be, that the paper having been gone through, no new business could be brought forward, and that those names in the printed paper should have priority over other business; and he thought it would be better to adhere to this rule. No Motion of form ought to interfere. He would ask, whether it was not the general sense of the House that the Speaker should proceed with the notices and Orders of the Day in the succession in which they stood, it being settled that no person should interpose any Motion?

Mr. *Hume* thought, the Motions and Orders should be regularly set down; that the Motions should come first, and the Orders follow.

Mr. *Ewart* said, if they stopped at a certain hour they must begin earlier. When the Debates were carried on by day they were shorter and more effective, and more business was done. He had no objection, if the House pleased, to change the hour from eleven to twelve.

Mr. *O'Connell* said, that the Motions represented as matters of form were often of a substantive nature. Bills relating to capital felonies were often considered as matters of form after midnight. In 1792, they went to business at three o'clock, and it was then considered a late hour. The present House was inconvenient. In most places it was too hot, and when not too hot it was too cold, and it was highly prejudicial to the health of Members to sit up there to a late hour. One great corrective of the misdeeds of the Members was public opinion, which was influenced by the fourth estate, as it was called, the press. At a late hour the reporters were worn out, morning was approaching, there was a necessity for an early publication, there might not be space for a full report, and the consequence was that the late Debates were seldom given.

The House divided on the Motion, Ayes 61: Noes 121; Majority 60.

List of the AYES.

Agnew, Sir A.
Attwood, T.
Bagshaw, John
Bewes, T.
Blake, M. J.
Barnard, Edward G.
Blamire, W.
Bodkin, John James
Bowring, Dr.
Brocklehurst, J.
Brady, Denis C.
Bridgman, Hewitt
Brodie, W. B.
Buckingham, J. S.
Burdon, W. W.
Brotherton, J.
Crawford, S.
Crewe, Sir G.
Dennistoun, Alex.
Elphinstone, Howard
Fielden, John
Fitzsimon, C.
Fergusson, C.
Grote, G.
Hardy, J.
Heathcote, J.
Hindley, C.
Hector, C.
Hoskins, K.
Howard, H.
Hume, Joseph
James, P.
Lister, E.
Lennard, T. B.
Lennox, Lord G.
Lynch, A.
Marsland, H.
Mosley, Sir O.
M‘Cance, J.
Musgrave, Sir R. T.
Nagle, Sir R.
O'Connell, J.
O'Brian, C.
O'Brien, W.
Parrott, J.
Plumptre, J. P.
Pryme, George
Potter, R.
Ruthven, E.
Rundle, John
Sinclair, G.
Scholefield, J.
Smith, B.
Strickland, Sir G.
Tancred, H. W.
Thorneley, Thomas
Troubridge, Sir T.
Tulk, Charles A.
Turner, W.
Verney, Sir H.
Wallace, R.
Wakley, Thomas
Whalley, Sir S.
Williams, W.
Young, G. F.

TELLERS.

Ewart, W.
O'Connell, D.

EXECUTION OF WILLS.] Sir *John Campbell* moved the second reading of the Execution of Wills Bill.

The *Attorney General* did not mean to oppose the principle of the Bill; it was only his intention, at present, to make a few suggestions for the future consideration of his hon. and learned Friend opposite, and those should be with respect rather to some of the details of the Bill. For instance, he thought it important that an infant under twenty-one years of age should be allowed under this Bill to exercise any power he had under the law as it at present stood in making a testamentary disposition. He saw no occasion whatever, for confining, as it was now proposed, the power of making a will to an individual only who had arrived at the age of twenty-one. By the proposal now before the House, a woman who had married and become a widow before she had attained the age of twenty-one—not an unfrequent occurrence, would be rendered incapable of making a will in favour of her children if she died before twenty-one. Another provision in the Bill was, that a Court of Equity should have jurisdiction to make void any Bill of personality upon certain grounds. He thought it extremely objectionable that this power should be altogether taken from the Ecclesiastical Court, and wished that that Court and the Court of Chancery should have a concurrent jurisdiction. In his opinion, the Ecclesiastical Court should retain the power it at present had. As to another provision, he did not understand at all why a female's will should be revoked by her marriage, and a man's not, as was proposed.

Mr. *Hume* rose to order. There had been a discussion about the loss of time already. The hon. and learned Gentleman had avowed that it was not his intention to object to the principle of the Bill, and the course he was now adopting, of entering into the details of the measure, was only proper in the Committee.

Mr. *Cutlar Fergusson* could not agree

with the hon. Member for Middlesex. It was true, that the only thing which at that moment could be discussed was the principle of the Bill, but it was impossible to collect the principle except from the details; and it was not only exceedingly convenient for the House to have the details of the Bill brought before its notice in this way; but it was calculated to be of great use hereafter to the Members who should sit in Committee upon this measure.

Mr. *O'Connell* said, that even if the decision upon the question of a breach of the rule should be against the hon. and learned Gentleman, he hoped the House would indulge the hon. and learned Gentleman with permission to proceed with the observations he was making upon a Bill of such vital importance as that under discussion.

The *Speaker* said, that the rule was undoubtedly for the hon. and learned Gentleman to confine himself to the principle. The principle could only be, as had already been stated, known from the details, and according to one or two decisions of the House, it did not appear that the learned Attorney General was out of order.

The *Attorney General* could assure the House, that in his judgment, every detail to which he had adverted embodied within itself a distinct principle. He would then suggest the propriety of making marriage alone a revocation of a will, and so with respect to a birth, for it never could be the intention of any one that children begotten after the making of a will should have been intended to be disinherited. He was not prepared to go along with his hon. and learned Friend in diminishing the principle of security required by the law as it now stood affecting land; he would rather add one to the three witnesses of the will now required than take one from those three, as the Bill proposed. Every one that was added to a number of persons in a fraudulent combination rendered the combination the more difficult and the more easy of exposure. He was not aware, that many practical inconveniences had arisen from requiring three witnesses to a will giving lands, but much mischief might be the result of having only two. Indeed, he thought that a will written throughout by a party himself, and signed and dated by him at the foot, would be much safer to go upon without a witness at all, than to have a will merely signed by the individual whose will it purported to be, and attested by two witnesses. Upon the whole, he would suggest to his hon. and learned Friend, whether it would not be better for him, when there already existed a law with respect to real property which had subsisted for a great succession of years, and had been reduced almost to a state of certainty, the disturbing of which might be very inconvenient—it would not be better for him to bring in his measure in terms calculated to clear up some doubts, and alter some decisions respecting which, he believed, there was but one opinion both in Westminster-hall, and in Doctors'-commons, rather than break in upon the law as at present known and established. When once the law became unsettled, there could be no doubt that that would lead to a series of discussions upon different points of it, perhaps to discussions upon contrary judicial decisions, and there could be no doubt that it would be a long time before it got into the Established State in which it was now. It would be recollected, as a proof of this, that a Bill which had been drawn and prepared by one of the most enlightened and cautious Judges who had ever sat on the Bench (Lord Tenterden) had given rise to almost endless difficulties when its provisions came into operation. He had thought it thus right to point out the principles of the Bill as they occurred to him. There were provisions in it which were above all praise—provisions that would entitle the hon. and learned Gentleman to the gratitude of the House and of the public; those should have his full support, but as to some others, if not altered, he would give his reasons against adopting them at the proper time.

Mr. *O'Connell* said, that as to one of Lord Tenterden's acts in particular, it had been drawn with such a degree of looseness, that it was left uncertain when the provisions in it were to commence, and whether they were to take effect upon bygone transactions. He objected to decision-law,—he objected to judge-making law; he considered that the law should be made by the Legislature, legislators availing themselves in the making of it of law decisions, just as philosophers availed themselves of experiments to bring principles into operation. He entertained a different notion of this Bill now to what he had done before, and considered the proposed scheme one that merited the entire approbation of the House. The Bill was intended to do away with anomalies and with fictions that had no existence. In a degree, however, he agreed with some of the observations that had fallen from the learned and hon. Attorney General. He approved highly of the idea of making a uniform rule as to wills; that would prevent litigation, and be the greatest blessing that could be conferred on any nation. He altogether objected to having three or four different forms of proceeding. Let simplification be the rule, and then there would be system, and a stop put to litigation. With respect to the witnessing of wills, there was a great absurdity in that. As regarded personal and leasehold property and even chattel interest, to determine at the expiration of ninety-nine years, no witness was required to the will; yet three witnesses were required to a will to pass freehold property to the amount of 40*s*. If witnesses were to be required at all, he would say, let the necessity of them be extended to all testamentary documents, and let wills be uniform. For his own part, he had always a great doubt of the propriety of allowing a man, under any circumstances, *in extremis*, to make a will. He thought it absolutely necessary that in wills especially, giving property to charities, and away from a testator's family, the state of his mind should be unimpeachable.

Dr. *Lushington* held it to be the duty of Parliament, in making any alteration in the state of the law, clearly and distinctly to lay down what should be its future intention. If a single loophole was left for application to the discretion of the Judges, the inevitable consequence must be discussion that would involve the meaning of the whole of the enactment, and bring the minds of the country into doubt. His great anxiety was to impress the House with a sense of the high importance there was in providing that whatever might be the form to be prescribed for a will, there should be but one form for all. Be the number of witnesses required what it might, it was vitally essential that it should be the same with respect to all sorts of property given by wills. With respect to the observation that had fallen from the learned Gentleman opposite (the Attorney General), that if the number of witnesses required to a will were diminished there would be less chance of detecting fraud, he could only say, that in all cases of fraud in which he had been concerned, and that had been in almost all affecting personal property that had come before the public for the last twenty years, the detection had almost invariably been in cases where there had been three attesting witnesses. Then as to the point of handwriting. It was so easily forged, that in his opinion mere handwriting should in no circumstances at all be considered as proof of the validity of a will. Then, again, as to the construction to be put upon a will. It was his wish to do away with that necessity for adhering to the strict letter of the law, which had been so beautifully exemplified by Lord Eldon in one of his decisions, in which he said, "I am bound by the principles of law to disappoint every intention which the testator had in making this will." With regard to the execution and the revocation of wills, he thought it was not of much consequence to the subject whether wills, might be revoked by parole declaration or not, but he thought the time was come when the law should be settled by legislative interference, and not leave it to the discretion of Judges to decide in directly different ways. He supported this Bill, because he thought it likely to diminish the business in all the Courts, which could not do otherwise than benefit the country at large.

Mr. *Cutlar Fergusson* said, that he could not express too strongly the obligations of the House to his hon. and learned Friend, the Member for Edinburgh, not only for the Bill which was then before it, but for many others which he had brought in, and successfully carried through it. It was highly necessary to do away with the difficulties attending the construction of wills of testators of estates. As to their attestation, he was of opinion that every sanction which was given to wills by the signature of three witnesses would be amply supplied by two signatures. In Scotland two witnesses were considered sufficient for the validity of every will. If the hon. and learned Member for Huntingdon was not satisfied with two, he was sure that twenty would not be sufficient. As to the question of handwriting, in all the countries of Europe, the handwriting of a testator was sufficient to dispense with all notarial attestation, and the only objection which had been brought against its reception was, that forgeries might, and would be frequenly committed. Now, this was a question on which he had very considerable doubt, whether, after all, it was not one of the best modes of proving the validity of a will. He agreed with those hon. and learned Members who had spoken, that there ought to be no difference in wills of real and personal estate: but with regard to the revocation of a will, he was of opinion that it ought not to be presumed that a man intended to do what he had not done. He thought, therefore, that marriage and the birth of a child ought not to be held to be a revocation of a will in the case of a man: when a lady married, matters differed, as she then had no will of her own. He was glad that the Bill had been introduced, as it was of the greatest consequence to the public.

Mr. *Pryme* was glad, that the lawyers had no objection to improvement. He thought that personal should have the same safeguards as real property, and to effect this it was necessary to give increased security to personal property, by an uniform execution of wills of all kinds.

Mr. *Jackson* thought a difference ought to be made, with respect to attestation, between real and personal property. It seldom happened that the heir-at-law attended the sick bed of the testator, therefore it was advisable that he should have protection; but, on the other hand, the testator was generally in his sickness surrounded by his kindred, which made an equal amount of protection as regarded personal property unnecessary. He was of opinion, that not less than three witnesses ought to be required to attest a will of real property. When parties confederated, though they might agree as to important particulars, it seldom happened that they did not disagree as to minor matters—they were rarely proof against a searching examination in a Court of Justice. He knew a case in which a female servant, who was one of the witnesses, had exactly confirmed the previous statement of the professional man in all that was material, but on examination, she declared the will to have been signed at midnight, whereas the professional man had said it was signed in the forenoon.

Mr. *Rolfe* observed, that Lord Mansfield had said, that the Judges were sometimes the authorised interpreters of nonsense; for they were bound to give a meaning to what ignorant persons intended, by the modes of expression which they used. He objected to the 34th, 35th, and 36th Clauses, their object being to affix an arbitrary meaning to certain terms. This, he thought, might lead to great difficulties; perhaps, it would be twelve months hence before the interpretation, as provided by the Act, was generally known. He would give one instance of the difficulties that might arise. If a will made a provision in case a person died without issue, the question was, whether the testator meant if the person was without issue at his death, or indefinitely without issue. The Court generally interpreted the meaning to be, without issue at any time.

Sir *John Campbell* said, that the subject had been so ably treated by the hon. and learned Member for Dublin, and his hon. and learned Friend, the Member for the Tower Hamlets, that there was but little left for him to remark upon. One great principle of the Bill was, that all property should be devisable. To that no objection had been made. He was sorry that his hon. and learned Friend, the Attorney-General, should oppose the uniformity proposed for the execution of wills. He had, however, the satisfaction to know, that all the Members of the Ecclesiastical Commission, and the present Lord Chancellor, were favourable to that principle. The distinction between real and personal property, had led to the most pernicious consequences. It often happened, that the same will was partially void, and partially valid—void as to the realty, and valid as to the personalty devised. As to the execution of wills, he was afraid that if the Legislature were to say that a man's handwriting should be a sufficient evidence of the validity of a will, no man would take professional advice, and he would be his own lawyer, by which the intentions of the testator would be often defeated; for where he intended to give a fee simple, he would give an estate for life, and where he intended to give a life estate, he would give a fee simple or an estate tail, which might be easily converted into a fee simple. Notwithstanding what had fallen from the hon Member for Falmouth, he hoped for his support to the Bill, and, as no objections were made to its general principle, he should now move that it be read a second time.

Bill read a second time, and referred to a Select Committee.

OBSERVANCE OF THE SABBATH.] Mr. *Poulter* said, he should detain the House as short a time as possible. A measure similar to that he now had the pleasure of introducing had been honoured by no less than twelve divisions, and hence a majority of that House had sanctioned a Bill of a like tendency on one occasion by a majority of five to one; and on another, by a majority of two to one, although ultimately lost, in consequence of a misconception that had been entertained with regard to it. He should be able to prove, however, when the proper time came, that the present Bill was only intended to restrain trade on the Sabbath, and correct some gross evasions of the law. He was sorry that the Bill had not fallen into the hands of other hon. Gentlemen more capable of doing justice to the subject; but, he believed, that upon examination, the House would agree with him, that in the present instance extremes had been avoided, and all parties might be furnished with good reasons for supporting it. There were among them who thought that legislation ought not to be extended to every part of our social and political lives, and that we could not have a specific legal remedy for every evil. But even they would find that there was no desire betrayed in the present measure to do anything but promote rational liberty. The moderation of its aim was sufficiently proved by the assistance that had been voluntarily afforded by Members of both Houses, who were previously hostile to its introduction, but, upon becoming acquainted with the moderation of its tone and the general mildness of his character, had foregone their hostility. The anxiety of the public on the subject was sufficiently displayed by the number of petitions that had been presented to this House, and from the number of societies now in existence which were instituted for the furtherance of the object he had now in view. No less than 1,065 petitions had been presented, containing in the whole 20,000 signatures. No fair and reasonable man would suppose that he had any other object in view than the good of the people, and not, as had been falsely asserted, their oppression. He would gladly, however, take the blame of every defect that might be discovered in his Bill; all he wished was the attention of the House to the subject, being convinced that it would have the effect of promoting the cause of morality and religion in the country. The hon. Gentleman concluded by moving for leave to bring in a Bill to promote the better observance of the Lord's day.

Mr. *Warburton* did not mean to oppose the bringing in of the Bill, particularly as the hon. Member, who moved for its introduction, had been allowed not alone to bring it in, but to advance it almost to the final stage in the last Session of Parliament. But he should reserve to himself a right of opposing it in any stage he thought proper, if he saw that it was of such a nature as trenched upon the enjoyments of the poorer portion of the community. The conduct of several hon. Members at various periods during the last Parliament, in respect to Sunday legislation reminded him forcibly of occurrences exactly similar in the Parliament of 1640. If hon. Members, took the trouble of examining the journals of the House, they would find that their hon. Predecessors of that period had brought in several Bills to the same effect as some of those introduced then. For instance, one Member of that time brought in a Bill "to prevent walking in the fields on the Sabbath," and another a Bill "to prevent people regaling themselves in porches (of houses) on the Lord's day." He was sorry to be obliged to say, that many clauses in the Sabbath Observance Bill of the last Session were analogous to these, and very much to the same general effect. He trusted that the Bill of the hon. Member for Shaftesbury contained no clauses of that nature; and he hoped that strict attention would be paid to it in every stage, to prevent their introduction by any other hon. Member. He was not one of those who believed men could be made religious by Act of Parliament, and, therefore, he was opposed to any legislatorial interference whatever on the subject.

Mr. *Potter* complained that the hon. Member who moved for leave to introduce the measure before the House had departed from the usual wholesome custom of entering into an explanation of its nature and contents. In abstaining from all explanation the hon. Member pursued the same course as had been adopted by the hon. Member for Wigton (Sir A.

Agnew) in his Bill of last year, and therefore left his measure open to the suspicion that they were identical in their objects. The consequence was, that the Bill of the hon. Baronet was a Bill of pains and penalties for the poor and of impunity for the rich. He (Mr. Potter) was one of those who thought that no laws should be ordained for the observance of the Sabbath; its observance should be enforced by example and moral influence, not by Act of Parliament. With respect to the Bill before the House, as the hon. Mover had given no intimation of its contents, he (Mr. P.) should assume that it was the same as the rejected measure of the last Session of Parliament, that it was a revival of the Act 29 of Charles 2nd. If so, it was of a very objectionable character. That Bill prohibited the sale on Sunday of many articles of necessity and innocent luxury. For instance, it prohibited the sale of fruit, which would be a great hardship on the poor man, because it would prevent his enjoying a harmless addition to his rest-day's recreation. It also forbade any person to enter an inn or a lodging-house on the Sabbath, which would also be not alone a hardship but a cruelty to travellers by necessity. If the Bill before the House contained any clauses of an analogous nature to these he (Mr. Potter) should oppose it in every stage of its progress.

Mr. *Hardy* defended the Bill of the last Session of Parliament introduced by the hon. Member who moved the introduction of the present measure. That Bill was only intended to prevent unnecessary desecration of the Sabbath, not to interfere with the enjoyments of the working classes. In common with the hon. Member for Bridport he (Mr. Hardy) believed that men could not be made religious by Act of Parliament; but he believed also, that to make them so was not the object of the Bill, but to prevent scandal to morals and religion. A great deal of obloquy had been cast on that Bill, because it was alleged that it was levelled at the enjoyments of the poor, while it spared those of the rich; but such was not its intended effect. On the contrary, it was to protect the poor at the expense of the enjoyments of the rich that it was introduced to the Legislature. It was not to prevent young men in Birmingham, shut up in shops during the week, from riding in the green lanes on a Sunday; but it was to prevent the necessity of the hostlers at inns, where horses were hired, from waiting the return of these young men rather than be in attendance in church, or at home with their families. The Bill before the House was of the same nature, and was not merely a revival of the Act 29 of Charles 2nd.

Mr. *George F. Young* was glad the hon. Member for Shaftesbury had the moral courage to bring forward the Bill before the House after the contumelious manner in which the similar measure introduced by him to the last Parliament had been treated. He deprecated the insinuations conveyed in the observations of the hon. Member for Bridport, when comparing the present and past Parliament to the one which sat at the lamentable and ever-to-be-regretted period to which he alluded, 1640. It was not fair to mix up motives in that manner, nor was it fair for the hon. Member who spoke subsequently to attack the Bill on the assumption that it was the same as that of the last Session. If it contained nothing which was calculated to impose shackles and restrictions upon the enjoyments of the poor man, he (Mr. Young) should give it his hearty support; if, on the contrary, he should hold himself free to oppose it.

Mr. *Nicholl* said, he should oppose any clause in the Bill which would have the effect of restricting the rational enjoyments of the poorer classes of the community; but he admitted that a measure which would prevent the desecration of the Sabbath was necessary.

Mr. *Rice Trevor* should not oppose the Bill if it did not trench upon the enjoyments of the poorer classes; otherwise he should oppose it as far as in him lay. He did not deny that a large portion of the community was in favour of some enactment for the better observance of the Sabbath, and that an anxious wish was expressed by all the religious part of the population of the country for the prevention of its desecration. He did not desire to interfere with the rational enjoyments of the working classes, as he had already said, but he thought some attention should be paid to the wishes of the religious portion of the community.

Mr. *O'Connell* would not oppose the introduction of the present Bill if it were the same as that of last Session, as that measure contained no one clause which gave the rich a preference over the poor. He, however, thought that the House could not be too cautious of legislating on the subject of the Sabbath, or of interfering at all in what was, after all, a mere matter of conscience. Legislatorial interference was generally more detrimental to the best interests of religion than any little infringement of the sacred solemnity of the Sabbath could be.

Sir *Andrew Agnew* denied, that anything which had been urged in the observations on this measure applied to the Bill introduced by him in the last Session of Parliament. He could assure the House that his Bill was more objected to by the rich than by the poor; and, moreover, that if he put it to the opinion of the country he would have a majority of the latter in its favour.

Sir *John Campbell* hoped that the hon. Baronet and his supporters would be satisfied with the present measure. He believed the motives of the hon. Baronet in respect to the Bill of the last Session to be most pure, but he was bound to add, that nothing could be more mischievous than that Bill was calculated to prove had it been permitted a trial. It interfered with all classes of the community, high and low, rich and poor. It afforded enjoyment to none; and it was, moreover, inquisitorial in its nature, and capable of being made the instrument of great tyranny and oppression to all. With respect to the Bill before the House, he (Sir J. Campbell) saw nothing to object to in it. It only affirmed an Act of Parliament already in existence, and capable of being used without any such affirmation. It did not seek out private violations of the Sabbath, it only prevented public desecration. Therefore it should have his support.

Mr. *Hawes* agreed fully with the hon. and learned Member for Edinburgh. He would not make any observations on the subject, but he would simply ask the hon. Member for Shaftesbury a plain question respecting the object of his measure. Was the Bill intended to put down Sunday trading solely, or was it intended to revive the whole of the odious Act of 29th Charles 2nd?

Mr. *Poulter* replied, that it referred exclusively to the suppression of Sunday trading.

Leave was given to bring in the Bill.

EXPENSES OF ELECTIONS.] Mr. *Hume* brought forward his Motion, "To call the attention of the House to the Report of the Committee of last Session on the expenses attendant upon the elections of Members to Parliament." By the returns of the elections of 1832, which were ordered in the last Parliament on his Motion, it would be perceived that no rule regulating the expenses existed. These returns shewed that, in some places, very heavy expenses were entailed on the candidates, while in others they fell on the city, town, borough, or county, where the elections were held. In consequence of this anomalous state of things, he moved for the appointment of a Committee to take the subject into consideration, and that Committee had made its Report, to which he wished to call the attention of the House. If the last Parliament had continued he would have moved for leave to bring in a Bill founded on the recommendations contained in that Report; but as its dissolution had taken place, and as the present Parliament was not bound by any act of the former, he thought it best to bring the matter again before them, referring them to the Report of the Committee, and leaving it then in their own hands, whether they would adopt that Report or give him leave to bring in a Bill on the subject of it. He should make very few observations on the Report itself. The first point the Committee had directed their attention to was the lessening of the expenses attendant on elections, for which end they recommended a uniform rule for adoption in England, Scotland, and Ireland, relative to taking the poll. This every one would admit would be an immense saving of time, expense, and trouble. The objects which he should propose in any Bill he might be permitted to introduce to the House, would be—first, an attempt to settle some points connected with the registration of votes. The noble Lord, the Member for Devonshire, had declared, on his introduction of the Reform Bill, and in the debate thereupon, that no constituency should be less than 300; yet it appeared by the Report of the Committee that a considerable number of boroughs had a constituency less than this minimum. Therefore, the Reform Bill, it was obvious, had not produced, in this respect, the intended effect. His Bill should go to remedy this evil. The next point which he should enforce was the necessity of enabling electors to vote with as little loss of time and expense as possible.

By the Reform Act, as it now stood, every elector was obliged to vote in the particular district where the property out of which he claimed franchise lay, although his actual place of residence might be many miles distant. It was declared illegal to pay the expenses of electors by the eminent Counsel, Mr. Harrison, and Committees of the House had decided variously on the subject. This he should also propose to remedy. With respect to enabling electors to vote with as little loss of time and expense as possible, he should propose to give each individual the privilege of voting in any district he thought proper. For instance, he would enable a man having property in Uxbridge to vote for the county of Middlesex in the Tower Hamlet district if his residence were there, and so on with others similarly circumstanced. That was the recommendation of the Committee, who stated in their Report that they saw no difficulty in the way of effecting this object, save the trifling one of a duplication of lists and a double registry. If adopted, it would save a world of expense, and a great deal of valuable time, as well as much trouble to electors. In his opinion, there was one very strong reason in favour of causing all electors to vote at their own place of residence; it was this—that there they were, of necessity, better known in the neighbourhood of their own residences than even in that wherein their property might be situated, and thus a precaution would be taken against any one man personating any other, or voting twice. It was thought by the Committee that, in every place returning a Member to serve in Parliament, some public functionary might be found to whom might be safely intrusted the discretionary power of increasing, when necessary, the number of polling places, with a view to bring each election to a close in one day; and those additional polling places, as well as all others, the Committee were of opinion ought to be erected at the expense of the city, or borough, or other place, where the election occurred. Though the expense of elections would, in one point of view, be increased by increasing the number of polling places, yet that would be fully counterbalanced by the saving of time in reducing the duration of the election to a single day. The city of London gave an instance of perhaps the largest constituent body in the kingdom; and, therefore, the Committee called before them one of the Sheriffs of that city, who, on being examined, declared, that he entertained not the slightest doubt that the election for that city could easily, and with great advantage, be limited to a single day. Two days, certainly, might prove convenient to some electors, but in venal places so long a duration of the election held out great temptation to electors, for in proportion to the narrowness of the contest, so did the demands of those who held out to the last rise; and it was generally between the first and second day that they negotiated for, and obtained, the wages of their corruption. In a few words, then, the effect of the changes proposed by the Committee would be to lessen bribery, to lessen expense, to lessen the waste of time, and to afford a better opportunity for knowing the sentiments of the electoral bodies. Even under the present regulations, the second day was almost wholly unnecessary, and would be not only useless, but mischievous, under a better system. Further, he wished to state, that he had much satisfaction in expressing his opinion, that the greater part of the changes which it was proposed to introduce could advantageously be established in Ireland. As the law at present stood, the poll must remain open a certain time, and a further time must elapse between the close of the poll and the declaration of the numbers. The mode of adding up the numbers was also most objectionable, and very liable to error, as witness the mistake of 200 votes made by a very effective officer in the case of the Kent election. He thought, also, that there should be one regular scale of charges for registration. The Committee had stated in their Report, that they had considered it a part of their duty to classify the different charges which were made on account of elections. Of all these it appeared that only three were strictly legal; yet the charges of other kinds, under the heads of fees and gratuities to sheriffs, deputy-sheriffs, assessors, and of payments made for certified copies of the registers, &c., amounted to very considerable sums. Most of the improvements to which he had alluded had been originally confined to England, but he apprehended that they would be found equally applicable to Ireland. The general effect of them could not fail to be highly beneficial; they would lessen the expenses attendant upon elections, diminish the loss of time, and give a better opportunity of ascertaining the real sentiments of the electors. The hon. Gentleman concluded with saying, that, although, he had not given any notice of his intention to move for leave to bring in a Bill, he would at once do so; or, if the House pleased, he would give notice for to-morrow [*Cries of "Move!"*]. He would then move for leave to bring in a Bill to carry into effect the recommendation of the Committee.

The Question having been put,

Sir *George Clerk* stated, that his right hon. Friend, the Member for Montgomeryshire (Mr. C. Wynn), had paid great attention to the subject, and was of opinion that a Bill might be brought in without any further examination of evidence. Not having been in the last Parliament himself, he had not seen the Report of the Committee; but from the statement given of it by the hon. Member for Middlesex, he was ready to say, that he entirely agreed in the principles of its recommendations, and, with some modifications, they might be advantageously carried into effect. But, however practicable it might be to take the votes of any given number of electors in cities and boroughs in one day, that time would hardly be sufficient for counties, as all the county elections took place within a week, and persons who possessed the franchise in different counties ought to have an opportunity of exercising it. With regard to Scotland, he would suggest that the number of polling-booths should be more numerous than appeared to be contemplated by the hon. Member for Middlesex; for, in the Highland districts, a circuit of twenty-five or thirty miles might not yield two hundred voters.

Mr. *Spring Rice* expressed his gratitude to the hon. Member for Middlesex for the pains he had taken in bringing this subject before the House. He entirely approved of the suggestions of the Committee, and hoped that the hon. Member would not allow trifling difficulties to deter him from endeavouring to carry into effect the principal of those suggestions, namely, the reduction of the time of polling, at least in cities and boroughs, to one day. With regard to the authority which should have the power of managing the polling-places, he should beg to suggest the Privy Council as the most fit.

Major *Cumming Bruce* also begged to return his thanks to the hon. Member for Middlesex for bringing the subject forward; but he thought with the hon. Baronet the Member for Edinburghshire that in many of the counties of Scotland, one day would not be sufficient to take the poll in. Many voters lived upon islands, and might be prevented by the weather from coming to the poll upon one particular day.

Mr. *Murray* said that, no doubt, such would be the case in one or two counties of Scotland, as Ross, for instance; but in the remainder there would be no such difficulty. He could not agree with the hon. Baronet the Member for Edinburghshire, that a good general rule should be rejected because some persons had vot s in twelve different counties. He should, however, consider every suggestion that might be made upon the subject, before moving for leave to bring in a Bill for Scotland, similar to that now proposed for England by the hon. Member for Middlesex.

Mr. *O'Connell* said, that the advantage of an increased number of polling places would be great in preventing riot, intimidation, and expense, and in facilitating the identification of voters. He would suggest, however, that it would not be enough to have polling places in towns where quarter sessions were held; there ought to be a polling place in every town or district in which road sessions were held. He wished also, that the mode and right of registration, and the time for polling in England and Ireland, should be assimilated. He complained of the infrequency of the registration in Ireland, and said that the time for polling in towns was too long, while from the various impediments thrown in the way of voters by the administration of oaths and other devices, the time was too brief in counties. He was ready to lend his assistance in framing a Bill to extend to Ireland.

Sir *H. Hardinge* was satisfied that in Ireland it was necessary to reduce the time of polling to two days. He should be happy, when he received the information for which he had written to Ireland, to afford the hon. and learned Member for Dublin every facility in his power to remedy any evil that required correction in the present mode of carrying on the Elections in that country. He considered it most important that there should be several polling places, for voters had in some cases nearly seventy miles to march before they arrived at the place of election in some counties. It would be of the greatest advantage to the representation of the county to have these changes made.

Mr. *Cutlar Fergusson* wished the polling to be limited to one day instead of two; but, in other respects, he saw no necessity for any change in the system as respected Scotland. In the counties of Scotland the Electors were a most intelligent body, and in the burghs there were no corrupt freemen—that greatest curse in elections. In the counties there were no fictitious voters, and no temptations to make them.

Mr. *Arthur Trevor* wished to know from the hon. Member for Middlesex whether it was intended to take into consideration the powers of the returning officers. He thought that some change should be made in those powers.

Mr. *James Grattan* said, the Committee confined itself to three points; it recommended the abolition of the Catholic Oath, the delay and inconvenience of which had been experienced in many Elections in Ireland. The Committee also recommended that the certificate of the freeholder should be final, and that the number of polling-places, should be increased.

Sir *Francis Burdett* concurred in what had fallen from the hon. and learned Member for Dublin. It was strange that, while they talked of a legislative union between the countries, they legislated as if there were three kingdoms instead of one. The general opinion seemed to be in favour of one day's polling instead of two. He thought the object would be obtained if they polled in parishes. The whole of the election expenses, would thus be greatly diminished.

Leave given to bring in the Bill.

BANKRUPT SEQUESTRATIONS (SCOTLAND.)] The Lord Advocate moved for leave to bring in a Bill for Regulating the Sequestration of Bankrupts' Estates in Scotland.

Mr. *Murray* said, it gave him most sincere pleasure to hear, that the learned Lord intended to introduce the same Bill which had been so keenly opposed to the Committee which sat last summer. He (Mr. Murray) had never objected to that opposition; for, however warmly it was conducted, it tended to a more rigid and minute examination of all the details of the Bill, than might otherwise have taken place. The Committee sat constantly for nearly two months, and was much indebted to the able assistance which the hon. Member for Edinburgh, notwithstanding his other numerous and important avocations, gave to the details of the Bill. The Committee also received much advantage from the attendance of the learned Member for Huddersfield, and from two gentlemen who were not Members of the present Parliament—the late Member for South Lancashire, and the late Member for Glasgow—who, from their knowledge of mercantile affairs, were able to assist more, perhaps, than any others, in the improvement of the Bill. With all the pains that had been taken to improve it, he believed it still had defects; and as the learned Lord had declared his intention to adopt the same Bill, he (Mr. Murray) would readily give every assistance in his power to remove those defects, and to render it such a Bill as would be beneficial to the country of Scotland.

Sir *John Campbell*, as a Scotch Member, hailed the introduction of this measure as one which was much wanted, and most earnestly desired in Scotland, and was glad, that there was now a prospect of its passing into a law.

Mr. *Wallace* tendered his thanks, as well to the late Lord Advocate, for having originated this salutary measure, as to the present learned Lord for following his predecessor's wise course, in bringing forward the Bill again at so early a period, as to insure its passing this Session. He wished to know from the learned Lord, whether it was his intention to introduce any measure to amend the law respecting conveyancing in Scotland. There was no other country in Europe, except Hungary, where the barbarous system of feudal conveyance of property still remained.

Mr. *Cutlar Fergusson* hoped the learned Lord was actuated by a steady determination to press the Bill forward, and to insure its passing into a law this Session. He perfectly agreed in the observation of the last speaker, that the system of Scotch conveyancing was as oppressive as in the most feudal country in Europe.

The *Lord Advocate* said, it was his intention to refer the Bill, for which he now moved to a Committee up stairs, when the aid of the hon. Member, the late Lord Advocate, would be made available towards rendering it more perfect. As to conveyancing, he would say, that it had been referred to a Commission, and until that Commission reported, he could not take any step. At the same time, he would admit, that the present system was a bad one, and he was disposed to give it his best consideration, with a view to devise a remedy.

Leave was given to bring in the Bill.

BRIBERY AND INTIMIDATION AT ELECTIONS.] Sir *George Grey* rose to move for the Committee, of which he had given notice, to inquire into the most effectual method to put a stop to Bribery at Elections. It was not, he observed, necessary for him at that hour, to go into details as to the object of his Motion. It was well known, that there still existed in many boroughs a disposition to bribery, and it was necessary for the character of the House, that they should take an early opportunity of passing a Bill to prevent corrupt practices as much as possible. The hon. Baronet, after adverting to the history of the Bills which had been introduced on this subject in the last four years, and to their not having been successful, observed, that he could not hope for the success of any measure introduced on the subject, until it had been submitted to the consideration of those who had attended to the question. He regretted, that in the last three or four years, they had made no progress in any measure for the prevention of bribery; but he was glad to have heard in the previous discussion a suggestion thrown out and receive the almost general concurrence of the House, of a measure which would go far to strike at the root of the evil—he meant the limiting the polling at elections to one day instead of two. That, he thought, would be going far to correct the evil. The other branch of election matters, to which the Motion was directed, was the subject of intimidation, with respect to which there were no statutes applying a punishment save and except in cases where riots should actually ensue; but, for intimidation during and previous to the poll, the House possessed no power to interfere, or punish the offenders. Now, it would hardly be denied when the occurrence of numerous cases of intimidation of various kinds was not to be questioned, after the experience of the last and previous Sessions, that it was the duty of the House to provide some remedy which, if it might not succeed in preventing the mischiefs which arose, might, at least, lessen the evils arising from such a system. It ought to be made equally criminal to have recourse to threats and menaces to prevent the conscientious exercise of the elective franchise, as to have recourse to bribery, and these or the exhibition of placards or emblems, threatening personal violence, affecting the return of a Member, ought to be restrained by punishment. It was the duty of the House, or of such a Committee as that for which he now moved, to inquire and investigate whether or not it would not be advisable to enable an Election Committee to deal with a specific case of this kind, when submitted to it. Another species of intimidation, perhaps less flagrant than the previous classes to which he had alluded, though not in his judgment less criminal, because it was calculated to withdraw men from the independent exercise of a right—nay, he would say a duty they owed to their country—was the intimidation exercised in some cases, he would assert to a great extent, by persons of property, and by individuals holding official situations. To these instances the attention of the Committee would, of course, be directed with a view to their remedy. On that Committee it was his intention, that the friends of the Vote by Ballot should be represented, and he therefore thought it would ill-become those who advocated the introduction of that measure, as a means of prevention of these evils, to oppose the appointment of this Committee—a Committee, one of the objects of which would also be to provide a remedy for the intimidation practised by persons of influence over those who derived their daily sustenance from them, and who occupied their tenements. He should be glad to see some mode to cure these evils, and to check intimidation adopted, before recourse was had to the Ballot. If the efforts of the Committee should prove ineffectual in this respect, then at least the advocates of the Ballot would acquire considerable strength in that House. He only hoped those Gentlemen would enter upon the Committee without prejudging the question. The evils which he pointed out tended to demoralize the country, and to render the franchise rather a curse than a blessing, and no greater benefit could be conferred on the country than their removal. It might be said, that though there were no laws calculated to check intimidation, yet Resolutions had been passed, and still remained in force for that object; but he must remind the House, that those Resolutions were valueless, because scarcely any case could be brought forward, by which the return secured by intimidation could be effected. With regard to the evidence to be taken before the Committee for the appointment of which it was his intention to move, he should guard himself against the possibility of prejudging any case to be submitted to any Election Committee shortly to be appointed, by not entering at all upon those cases, so that parties, who were likely to be put upon their defence in a short time would not be affected. A benefit, however, would arise from now appointing the Committee—namely, that sitting with the Election Committees, it would be able to call before it the agents attending thereon, and then in town, who, doubtless, would be able to communicate facts, from which much information, and no evil to individuals would arise—he meant important general facts, from which the extent of the evils of which there existed such just grounds of complaint, could be ascertained. He need not detain the House at this late hour further, as he understood the Motion would not be opposed; he should therefore conclude, by moving for the appointment of a Select Committee to consider the most effectual means of preventing bribery, corruption, and intimidation in the election of Members to serve in Parliament.

Mr. *Hardy* said, that though he had given notice of his intention to move for leave to bring in a Bill on this subject; yet he rejoiced the onerous and irksome duty of providing a remedy for the evils so justly matter of complaint and reproach, had been taken upon himself by the hon. Baronet opposite, and the Committee which he sought to have appointed. He (Mr. Hardy) thought, however, that this Committee could not, even after a long investigation, come to any other conclusion than the Committee which had been appointed on his (Mr. Hardy's) Motion last Session, and to which the right hon. Gentleman now in the Chair had afforded his valuable assistance. With respect to treating, the Committee must not confine the criminality of that offence to a particular period after the issuing of the Writ, and between that period and the time of the Return, as was now the law, but must rather consider and provide for the *animus* with which the treating was given. The great mischief had been (and it was the reason why treating had attained its present height), that by Election Committees, the seat of the Member was regarded as sacred, and regarded as a sort of "taboo," which in the South Sea Islands was not to be touched. Let the seat, however, be easily affected, and an end would speedily be put to bribery, treating, and other means of corruption.

Sir *Edward Codrington* most cordially seconded the proposition of his hon. colleague. From what he had lately witnessed, he was convinced not only that such an inquiry was necessary, but that from it the greatest possible good would arise.

Mr. *O'Connell* concurred in the objects of the present Motion, and particularly in that portion which referred to the subject of intimidation. He thought it should be at once fully understood, whether or not this House considered that a tenant's vote was his landlord's property, and whether or not the franchise given to an individual for his benefit ought to become, as it were, a portion of his landlord's rent, and if it were not so, that the House would visit as delinquents, those who used other men's consciences for their own purposes. He trusted the investigation would be followed up, and the matter sifted to the bottom, because a protection should be thrown round those unfortunate tenants who were by intimidation ground down by those possessing authority over them. He had seen a man come up conscientiously to record his vote, when his landlord took an oath, that if he voted in a particular way he would not only refuse to renew the tenant's lease, of which only seven years had to run, but he (the landlord) would also secure the property, that after his death his son should not have the power of renewing the lease to that individual. The worst of the evil was, that the men who used this species of intimidation were the first when an appeal was made to public sentiment and public duty, when a voice was raised to appeal to public opinion, to calumniate those who took any means to bring public opinion to bear upon each individual case. He was glad that a Committee was to be appointed, but he thought eventually it would be found that the Ballot was the only remedy to check the evils which were now complained of.

Sir *John Campbell* said, that he had seen so much of intimidation practised, that great as was his reluctance to the adoption of the Ballot, he was afraid, that unless some means were devised to make intimidation inefficient for its object, the Ballot would become actually necessary. If so, he should ever consider it a necessary evil. The franchise he should always hope to see exercised boldly in the face of the whole community, and every Englishman, Irishman, and Scotchman, ought to have the means of so exercising it without any apprehensions whatever. If a punishment could be secured for parties guilty of such practices, the Committee would confer a lasting benefit upon the country. Should they, however, fail in their means of prevention, then to the Ballot he should be obliged to yield.

Mr. *Robert Steuart*, as a Scotch Member, and having witnessed much of intimidation at the recent elections in that country, felt bound to give his support to the Motion. Unless some means were devised to check this evil, the Ballot would be the only resource to which the elective portion of the community could resort in order truly to express their opinions and sentiments. He trusted some plan would be effected by which the tenantry would be left to the free exercise of their votes, and he had no hesitation in saying, that if such protection had now existed, very different results would have been obtained in Scotland in some cases from those which the last fortnight of the elections there had produced.

Mr. *Forbes* said, that he implied from the last observation, something like an expression against the landlords of Scotland. Of that body, so far as he was acquainted with them, and from all he had seen, he must say, that they behaved well during the late contests. He however felt obliged to the hon. Baronet opposite for submitting this Motion to the consideration of the House.

Mr. *Robert Steuart* said, that in anything he had said, he did not mean to apply it to the hon. Member for the county of Stirling.

Mr. *Sheil* said, that two instances of intimidation of a different kind had come under his observation during his contest for the county of Tipperary, in 1830. He had applied to a man of the name of Brian for his vote, but on learning that by doing so he would incur the displeasure of his landlord, he desired him not so to dispose of it. The man voted against him accordingly, but on his way home he was waylaid, beaten, thrown into a bog, and left for dead. The other instance was that of a man named M'Donnell, who came to him of his own accord, and promised his vote. He (Mr. Sheil) told M'Donnell, that he understood, as to voting for him, his landlord was adverse to his doing so, and entreated him not to vote. M'Donnell, however, voted in his favour, was subsequently ejected from his farm, turned into the public streets, and with his family was now starving in the town of Dundalk. These instances showed, in the one, intimidation on the part of the people, and in the other, intimidation on the part of the landlord, and he would ask the hon. Baronet (Sir George Grey), how he could prevent this, except by the adoption of the Vote by Ballot.

Mr. *Grote* expressed his satisfaction at the present Motion. Though he entertained strong opinions upon the efficiency and necessity of the Ballot as a means of protection, yet he should go into the Committee with the fullest disposition to entertain any other means which the sagacity of other hon. Gentlemen might suggest, and should be ready to adopt any efficient remedy they might propose. He hoped, however, that Gentlemen who entertained preconceived opinions unfavourable to the Ballot would, if they found the remedies proposed to check these great and grievous evils inefficient, follow the example of the hon. and learned Member for Edinburgh, and get over any scruples and objections to the Ballot which they might have previously entertained.

Mr. *O'Dwyer* mentioned a case of intimidation, in which the landlord seized the book immediately after it had passed from the lips of a tenant who voted contrary to his will, and swore by the contents of that book, to turn him out of his land the first opportunity. He stated another case, in which a landlord, who was a Member of that House, gave notice, that any tenant or dependant of his, who voted against his friend, should be instantly turned from the land. One of his dependants, however, greatly to his credit, said to him, "Sir, your conduct is so unconstitutional, so tyrannical, and so ungentlemanlike, that you shall never have my vote."

Mr. *Anthony Lefroy* hoped the Committee would be able to put an end to that system of intimidation which had led to so much disturbance. He could, if it were necessary, produce instances in which landlords had told their tenants, that they might exercise their franchise as they liked, and the tenants said, they were desirous to exercise them according to the wishes of their landlords, but that they could not do so except at the risk of their lives. He expressed his fervent hope, that the hon. Baronet, and the Committee, would be the means of procuring for the people of Ireland the free exercise of their opinions, and they would thus confer one of the greatest benefits that could be bestowed upon that country.

Mr. *Spring Rice* said, that nothing could be better than the Motion now before the House. A more important constitutional step had never been taken by the House than the appointment of a Select Committee under the care and superintendence of his hon. and learned Friend. This Committee went to establish a new and distinct principle; and all who had one common object in view must concur in the propriety of it, whether they were friends of the Ballot, like his hon. Friend the Member for the City of London, or whether they had, like him (Mr. Spring Rice), considerable doubts on that subject,—whether they supported the Ballot in order to prevent intimidation, as his hon. Friend did, or whether they agreed with him (Mr. Spring Rice) in wishing to see intimidation prevented by some other means, because they doubted that the Ballot would be effectual.

The Motion was agreed to, and the Committee appointed.

HOUSE OF LORDS,

Thursday, March 12, 1835.

Minutes.] Bill. Read a first time:—East-India Indemnity.

Petitions presented. By the Duke of Gordon, from Parishes in the Counties of Renfrew, Moray, Banff, and Dumfries, for Extending the Church of Scotland.

HOUSE OF COMMONS,

Thursday, March 12, 1835.

Minutes.] Bills. Read a first time:—Witness Indemnity.—Read a second time:—Transfer of Aids and Exchequer Bills.

Petitions presented. By Mr. Thomas Duncombe, from St. Margaret's, Clerkenwell, and from the Butchers of Finsbury; by Mr. Williams, from the Inhabitants of Clerkenwell; by Mr. Wodehouse, from the Inhabitants of the Parish of St. Dunstan, Strand; by Sir Jacob Astley, from the Inhabitants of Holborn, Stepney, St. Luke's, Whitechapel, Hackney, and Mile-end; and by Sir Francis Burdett and Mr. Pattison, from Parishes in Westminster, and London.—By Colonel Damer, from 124 Butchers; by Mr. Lynch, from the Vice Chancellor and Members of the Inns of Court; by Mr. Rolfe, from Inhabitants of the Liberty of the Rolls; by Mr. Handley, from Graziers of Lincoln and of Grantham; and from 1,060 Bankers, Merchants, and Tradesmen of the City of London,—praying for the Removal of Smithfield Market.—By Mr. Tooke, from St. Andrew's, Holborn; and by the Sheriffs of London for the Amendment of an Act for the Relief of poor Debtors in London, and for the Amendment of the Sheriffs' Court.—By Mr. Sharman Crawford, from the Parish of Drumboe in the County of Down, for the Extinction of Tithes, and the *Regium-Donum*, and by Mr. Cummin Bruce and Mr. Pringle, from the Synod of the Mearns, the Presbytery of Forfar, and three other Places, praying for the Extension of Church Accommodation in Scotland.

Smithfield Market.] Mr. Alderman Wood moved the second reading of the Smithfield market improvement Bill.

Mr. *Handley* felt it due to his constituents and to the farmers and graziers of the country, generally, to oppose the measure. Though the hon. Member was the patron and the successful advocate of the privileges of the Corporation of London he did not expect he would have had the hardihood to move the second reading of a Bill of this nature, not on account of its own intrinsic merits, but in reference to another Bill—the Islington Market Bill. In the body of the Bill moved by the worthy Alderman there was a clause, which went to impose on the graziers of the kingdom who sent stock to London additional tolls, for no other purpose but the aggrandizement of the property of the Corporation of London, and the perpetuation of an admitted nuisance. He believed that since 1800, the Corporation had been before Parliament with bills for the improvement of this market. In the year 1809 a Committee was appointed on the subject, and that Committee recommended the removal of the market to the nearest and most convenient situation, where a space of not less than twelve acres could be appropriated to it. Among the names affixed to that Report he found the respectable, influential, but not consistent name, of Matthew Wood. The worthy Alderman had talked of the opinion of farmers and graziers being in favour of retaining the market in its present site. Now, he supposed that Mr. Coke of Norfolk, would be acknowledged to be an authority on such a point. Mr. Coke had given his opinion against the proposition for the enlargement of the market, on the ground that it would only perpetuate the existing nuisances. The Bill which he (Mr. Handley) had brought forward last Session for the establishment of a market at Islington, and which he should again introduce this Session, he had brought forward on the grounds of public utility. He had no personal acquaintance with the individual who had projected that market, and the fact was that he had never met him but once, and that accidentally. With regard to the present Smithfield-market, he would state, from his own experience, having paid some visits there through curiosity, as well as on business, and having witnessed the most disgusting scenes of brutality and ill-treatment towards the cattle, that it was a perfect nuisance. The worthy Alderman had talked of the decisive evidence given before the Committee last Session, and certainly some of the witnesses exhibited decision enough in their testimony. A butcher from Sheerness had the unblushing effrontery to state in his evidence, that the bullocks which he bought in Smithfield on Monday, and drove down to Sheerness, a distance of fifty miles, on Tuesday evening, were fresher than if he had bought them in some of the neighbouring markets. Even if the market should be enlarged to the extent this Bill proposed it would be still far too small for the purpose. But what right had the Corporation of London to tax the graziers and agriculturists to defray the expense of that enlargement? They would not submit to such an imposition. When he again introduced the Islington Market Bill, he would again state to the House the reasons which in his opinion, called for such an improvement. At present he would content himself with moving, trusting that the House would stop this Bill at once in its progress, that it be read a second time that day six months.

Mr. *Williams* wished to ask the probable amount of the expense of the proposed market, and in what manner it was to be raised. [Mr. Alderman *Wood*. "It is estimated at 100,000*l*., of that sum 50,000*l*. would be provided by the Corporation, and the remainder it is proposed to raise by a toll on all cattle exhibited for sale in the market."] Then as a member of the Corporation of the City of London, he felt called upon to oppose the second reading of the Bill on the ground of the enormous expense that would necessarily be entailed on that body, in the event of its passing. During the last thirty-five years there had not been less than eleven applications to Parliament on the part of the Corporation for enlarging and improving Smithfield-market. On all those occasions it had been satisfactorily proved that the present site of the market could not be enlarged so as to answer its purposes. The worthy Alderman had told them that 50,000*l*. was to come out of the funds of the Corporation. Now where, he would ask, would they find this 50,000*l*., for it appeared from a recent report of theirs, that they were deficient 20,000*l*. on the expenditure of the last year? The worthy Alderman, no doubt, would represent the funds of the Corporation as being of great extent; but he could assure the House that they were of a very limited description, except as arising from taxes upon the public. The revenue of the Corporation might be stated at 400,000*l*., of which only 48,000*l*. came out of the estates of the Corporation, the remainder being derived from taxes on the citizens. He had seen so much market jobbing in the City of London, that he must deprecate the idea of the Corporation having anything to do with the management of this market. He was told that the estimated expense for enlarging Smithfield-market would be 100,000*l*., but they had no means of ascertaining what the actual expense would be. The expenses of the Corporation had always exceeded their estimates in such matters. In the case of Farringdon-market the estimated expense of the building was 150,000*l*. whereas the removal alone amounted to that sum, and it cost altogether, no less than 250,000*l*. How was this additional sum raised? The Corporation, seeing that they had not sufficient money, placed a new tax upon coals. The profit to the Corporation derived from Farringdon-market was last year but 4*l*. 15*s*. 5*d*., and next year it would be a loss to the City, since the expenditure would be more than the receipts. To purchase the site of some houses in Farringdon-street the Corporation expended the sum of 27,000*l*., and to the inhabitants of those houses 18,200*l*. was given as a recompense for their loss in trade, whereas it was afterwards proved that those persons suffered no loss, since their trade produced them no profits. If the costs for improving the present market were now stated at 100,000*l*., he was sure that the ultimate expense would be upwards of 150,000*l.* He would therefore oppose the second reading of the Bill.

Mr. Alderman *Wood* regretted that the hon. Member for Coventry had thought it necessary to amuse the House with a sort of statement such as he had been in the constant habit of making in the Common Council of London, and to which appropriate sphere it had better have been confined. As to the expense of Farringdon-market, the fact was, that juries had given such extravagant verdicts of compensation, that it was impossible to confine the undertaking within the ordinary calculation. Another great improvement had, however, been effected, with a saving of, perhaps, 200,000*l.* or 300,000*l.*: he alluded to London-bridge, and its approaches, upon which not less than a million of money had been most advantageously expended. So important had the Duke of Wellington considered this work, that he had actually kept Parliament sitting, when the Members would fain have gone into the country, because he was anxious to see the Bill passed for its completion. Many had been the attempts of the City of London to enlarge and improve Smithfield-market, and at one time the plan was to carry it only, perhaps, a quarter of a mile further than at present, to an open space near Sadler's Wells. That project had, however, with others, been defeated, and the scheme now seemed to be to remove it to a swamp at a considerable distance, which could scarcely be drained, and to which there was only one road. If removal were necessary surely it would be much better not to remove it so far, especially when a space quite sufficient for the purpose could be found much nearer the present site. He was aware that his hon. Friend (Mr. Handley) was alarmed for the fate of the Bill he had introduced, because last year he had been completely beaten in the Committee as the evidence was all against his scheme. His hon. Friend had alluded to the authority of Mr. Coke, not recollecting that that venerable authority had retracted his opinion in favour of a change, and had declared that on looking at the question in all its bearings he found no situation so good as that of Smithfield. In the Committee the testimony of persons who sold fifty or sixty beasts, and a proportionate number of sheep in the week, was opposed to the evidence of men who only sold five or six beasts in the week. The hon. Member had complained that 50,000*l.* was to be raised by an additional toll. What was that toll? Twopence instead of 1*d.* per head, and yet by his own Bill of last year 4*d.* was to have been paid if the beast remained in the market a certain time, and the whole charge might amount to 1*s.* per head. When the new Post-office was erected the Corporation of London might have sold the site of Smithfield-market for 190,000*l.* and the ground on which the building stood actually cost 150,000*l.*, half of which was paid by the City. But besides the 50,000*l.* to be raised, as he had said, by a toll of 2*d.* per head, the Corporation was about to expend a very large sum of its own money, equal in amount to that obtained by the toll. All the Corporation wanted was, that the public should be duly accommodated, which it most certainly would not be by removing the market to a spot of ground at a great distance, and merely purchased by a speculator in the hope of prevailing upon Parliament to pass a Bill to abolish the present market.

Mr. *Thomas Duncombe:* The worthy Alderman had stated that the site of the new market was a swamp. All he would say in reply to the observation was, that its site was many feet higher than that of Smithfield.

The House divided: Ayes 27; Noes 142—Majority 115.

Bill thrown out.

THE SUPPLIES.] Mr. *Hume*, the right hon. Baronet opposite put a question to me yesterday, relative to the Motion of which I gave notice, to limit to three months the votes in Committee of Supply, and I gave him a conditional answer to his inquiry whether it was intended to bring on the Motion to-morrow. I am now able to state to the right hon. Baronet, that having consulted with those upon this side of the House who I thought would support that Motion, I regret to find that they do not concur with me in considering the question sufficiently decisive of our want of confidence in the present Administration, and I have therefore been induced, with regret, to postpone the Motion of which I gave notice respecting the Supplies, but I do so with a view to proposing a subsequent Motion, tending to show decisively that the House has no confidence in his Majesty's Ministers.

The *Chancellor of the Exchequer:* Is this, then, the Motion of which you gave me solemn notice more than a week since? I say, is this the Motion which you thought it incumbent on you to give notice of a week before-hand? I asked the hon. Gentleman last night if he intended to bring forward his proposition for limiting the Supplies, pursuant to notice, and the hon. Gentleman now says he gave me a conditional answer. That conditional answer was, that the Motion would be certainly brought on, either by himself or some other hon. Member. I now ask the hon. Gentleman, whether the hon. Member, who was to have supplied his place, has also abandoned his intention; or whether any more decisive vote or want of confidence in his Majesty's Ministers is to be moved to-morrow.

Mr. *Hume*, I answer, that as far as I am concerned, it will not be brought forward to-morrow. I beg to remind the House, however, that on a former evening, when I expressed my opinion that the votes on the election of Speaker and on the Address evinced that the House had no confidence in the present Government, the right hon. Baronet did not appear to consider them in that light. I considered that granting the Supplies for only three months would be tantamount to a vote of no confidence in Ministers; but I was reminded by some hon. Friends, that the right hon. Baronet might turn round on us and say, "This is no vote of want of confidence in the Administration;" and on that ground, lest a limitation of the Supplies should not be taken as a decisive indication of the opinion of the House, I have consented to alter the course which I had intended to adopt. I have done so, seeing the necessity of proposing some Motion which shall come directly to the point, and contain words that cannot be misunderstood. I have only to add, that as far as I know, no other person will to-morrow bring forward the Motion of which I give notice for limiting the Supplies.

The *Chancellor of the Exchequer*: I asked the hon. Gentleman what course he intended to pursue with respect to his threatened decisive motion of want of confidence in Ministers, with a view to displacing them, and I really do not think that I am trespassing unreasonably on the hon. Gentleman or his friends when I again venture to ask a question as to a course of proceeding which may be of great importance to the Ministry and the country. The hon. Gentleman says, that neither he, nor, as far as he knows, any other hon. Member, means to press the Motion for limiting the supplies, on the ground that it might not be considered sufficiently decisive of the opinion of the House, with respect to the present Administration; but he adds, that I may depend on it another Motion, which cannot be misunderstood, and which is to convey a decisive declaration of want of confidence in Ministers, will be substituted—to-morrow? [Mr. *Hume:* "Not to-morrow."] I wish to ask whether, or no, that other Motion will be brought on to-morrow? ["*No, no,!*"] I understand, then, that neither the hon. Gentleman nor any of his friends will oppose the vote for the Supplies to-morrow. I only appeal to the hon. Gentleman whether it is not right, if he, or any other hon. Member, have come to the determination to bring forward such a Motion, that no time should be lost in naming a day for that purpose?

Mr. *Hume:* I assure the right hon. Baronet that if it rested with me, I would bring on the Motion without any delay; and that, at all events, it will be brought forward on the very first fit and proper moment that occurs.

Conversation dropped.

GENERAL REGISTRATION — SCOTLAND.] Mr. *Robert Steuart* rose to move for leave to bring in a Bill to establish a uniform system of Registration of Births, Marriages, and Deaths in Scotland. The defects of the English system of registration were generally admitted, yet that system was perfection itself, compared with the practice in Scotland. There existed in that country a registration of baptisms, but not of births—of bans, but not of marriages, and there was no registration of deaths. In Edinburgh, in thirteen parishes, of which the population was 75,000, and where, according to the ordinary calculation, the births must have amounted to 1,800, only 400 were registered. The Bill which he proposed would be similar to that of last year, and would proceed on the principle of compulsory registration. As to the details of the measure, however, he was not bigoted, but would be ready to adopt any proposition calculated to effect a real Amendment in the plan.

Sir *George Clerk* objected to that principle of the Bill which rendered registration compulsory, and would oppose the measure on that ground, when the proper time arrived. He admitted that registration was defective in Scotland, and was ready to improve it, but he could not consent to one clause in the Bill, which required the poor man to go to a registration office and pay a considerable fee. [Mr. *R. Steuart*—"6*d.*"] Well, even 6*d.* for registering the birth of his child at a time when he could least afford it. He objected the more to this compulsory provision, inasmuch as if an individual neglected to comply with it within forty-eight hours, he became liable to a severe penalty. Such, at least, he thought was the provision of the Bill of last year, which the hon. Member had professed his intention to revive. He admitted the advantage of a registration of births to the rich, whose children succeeded to property, but it would be difficult to prove that the poor, whose offspring inherited only the produce of the labour of their own hands, were equally interested, and should be compelled to comply with the regulations of a general registry under a penalty in case of neglect.

Sir *John Campbell* warmly approved of the principle of the Bill, and did not see the reason why the State should not pay for the registries of the poor. The poor were interested in those registries, and he had in his own experience known cases where it would have been of great advantage to the poor man to be able to apply to a registry. It frequently happened that the relatives of poor men who died abroad were not able distinctly to trace their relationship, and property thus left was wasted in litigation. It would be equally advantageous to Church of England men, in the case of property which might be left to them by Dissenters, and he hoped to see similar Bills brought in for England and Ireland.

Dr. *Bowring* had opportunities in other countries of witnessing the working of measures similar to that proposed, and did not think there would be any difficulty in carrying it into operation. By the systems adopted on the Continent they could trace an individual from his birth to his death. He hoped, in any plan which might be adopted, that the rights vested in individuals would not be interfered with, and that their concurrence in the measure might be acquired.

Mr. *Pringle* thought, that difficulties would attend the application of the principle of compulsory registration, and hoped that the Bill would differ in its enactments from that of last year.

Mr. *Hume* hoped that his hon. Friend, the Member for Haddington, would not allow the doubts that had been thrown out to have any weight with him. The measure was important in a national point of view; let the hon. Member proceed with it, and when he had brought in his Bill, let him subject it to a Committee up stairs, where all the doubts and difficulties now suggested might be easily dispelled.

The *Lord-Advocate* thought that such a measure as the hon. Member proposed would be extremely beneficial, if properly carried into effect; and he was, therefore, willing to give it every assistance in his power. But he apprehended that the hon. Member would find some difficulties, not only in the details of his measure, but arising out of the nature of the subject itself, in a country where marriage might be performed without any religious ceremony, and it was difficult to know in some cases whether individuals were married or not.

Mr. *R. Steuart* had stated, that he did not desire to stand by the details of the Bill of last year in every instance, if improvements could be pointed out; but he certainly thought, that unless the principle of compulsory registration were upheld, the measure would be wholly inefficient, particularly as to marriages which in Scotland were celebrated with so little ceremony.

Leave was given to bring in the Bill.

OUTRAGES IN ARMAGH—IRELAND.] Mr. *Dobbin* moved for a copy of the proceedings had at an investigation held at Armagh of the transactions which took place at Keady in the county of Armagh between the Magistrates, the police, and the Orangemen, on the 5th of November last, with all the documents connected therewith.

Sir *Henry Hardinge* could not grant the papers to which the Motion referred, because, as the Government had determined to prosecute the parties concerned in the transaction, the Crown Solicitor had taken the documents with him to the Armagh assizes. Under these circumstances, the hon. Member would perceive that he could not consent to the Motion, the more particularly as a judicial proceeding was pending.

Mr. *Finn* complained of the encouragement given to Orangemen, and said that the people did not place confidence in the Administration of justice in that country.

Mr. *Littleton* said, he understood that the Armagh assizes would commence to-morrow, and, therefore, the trial would in all probability be over before the papers could be laid upon the Table of the House. There was no case better calculated to satisfy Members of that House of the baneful effects resulting from party divisions in Ireland than that to which the Motion referred.

Sir *Henry Hardinge* said, that if the right hon. Gentleman had listened attentively to what he had previously said, he would have found that he made no objection to the production of the papers, further than that orders had been given to prosecute the parties implicated. And how were they to know that the case might not be postponed, or that some other impediment might not have come in the way? But there was another reason why he could not produce those papers—namely, that they had been carried by the learned counsel to the Assizes, and he therefore could not produce them.

Mr. *Henry Grattan* considered that the order ought to be pressed. They were bound to do thus much to show the people of Ireland they were disposed to do them justice. He had received from his agent a man of grave, sage, and steady character, a detail of the outrages committed by the Orangemen in Clanes, with the details of which he would not trouble the House. He declared that the people would not endure the armed Orange banditti tolerated by Government, and if that party were not put down, it was to be feared that their passions would get the better of their reason, and the Catholic gentry of Ireland would arm their tenants to fight it out with the Orangemen, who now conceived the present Government owed its elevation to them.

The *Chancellor of the Exchequer* was almost sorry that the hon. Gentleman had not substituted for some parts of his address the substance of the communication he had received from his agent, who, it appeared, was a very grave, sage, and steady character; and, he had no doubt, that what he said would have displayed a little more moderation than some of the hon. Member's observations. The hon. Member who originated this Motion moved for two sets of papers, the latter of which referred to a case in which no judicial proceeding had been commenced; rewards had been offered by proclamation for the discovery of the delinquents but without success. Now, the paper relating to this transaction his right hon. Friend was prepared to give. But the other Motion related to transactions upon which trials were now pending. Nothing could be fairer than the request of his right hon. Friend, who merely asked for such a delay as the attainment of the ends of justice required. He was sure that the hon. Gentleman would, on reflection, see the propriety of withdrawing, for the present, that part of his Motion objected to. There would be no objection to produce all the papers at a subsequent period.

Mr. *Roebuck* thought the House should act upon the suggestion of the hon. Member for Meath, and order the papers, leaving them to be produced when convenient.

The *Chancellor of the Exchequer* entertained the strongest objection to such a course. The only objection to produce the papers at once was, that such a course might interfere with the ends of justice; but at a future period they could be moved for. The orders for returns made by the House of Commons should be imperative, and not left to the discretion of subordinate agents. He put it, therefore, to the good sense of the hon. Gentleman whether he would not obtain all that he required by moving for the returns at a future period.

Motion was withdrawn.

Mr. *Dobbin* moved for a copy of the proceedings of an investigation held at Armagh, of the transactions which took place in the neighbourhood of Keady, between the police and the country people, on collecting an arrear of tithe due to the rev. James Blacker, &c., which Motion was agreed to. The hon. Member also moved for a copy of the proceedings had at an investigation held at Armagh, on the transactions which took place in that town and neighbourhood on the 15th of January last, and the following week, during which several houses in that town were wrecked, and fourteen Catholic houses buried in the neighbourhood, by a body of Orangemen, together with the several papers connected therewith.

Sir *Henry Hardinge* said, that the

Government was anxious to discountenance the improper proceedings alluded to in the Motion just made. With that view, a reward had been offered for the discovery of the offenders, and the hon. Member might be sure that no steps would be neglected to bring them to punishment.

Lord *Mandeville* was anxious to vindicate the Armagh Magistrates from the charge of favouring the Orangemen.—There was no foundation for the accusation. The investigation was about a brawl at a public-house. The hon. Member was quite wrong when he assumed that the outrage was commenced by the Orangemen. He (Lord Mandeville) attended the investigation, and he could assure the House that there was no evidence whatever that the outrage was perpetrated by Orangemen; on the contrary, there was distinct evidence that the rioters were not Orangemen. The history of these feuds was this:—At races held before this outrage, a party of Catholics had surprised and attacked a body of Orangemen who were not prepared for, and did not expect, any hostility from their opponents. Another race was held in another part of the county, soon after, and the Protestants came prepared for their defence. There the Catholics again mustered strong, and having provoked the Protestants there ensued a second fight, in which the Catholics were worsted. Then came the races of Armagh. The Lord-Lieutenant got intimation that a riot was meditated, and issued an order for the suppression of the races. After this the Catholics, animated by a strong feeling of animosity towards the Protestants, absolutely went about marking each obnoxious Protestant for vengeance. One Protestant and his daughter, on going to church, were waylaid and beaten to such an excess that their lives were despaired of. The houses of other Protestants were subsequently attacked and absolutely wrecked. Then the Protestants took fire, and naturally.—This was the origin of the disturbances now complained of. There were as many as six wounded Orangemen the victims of Catholic outrage. The consequence was, that the Protestants turned out and burned seven, not fourteen, houses of the Catholics. After that 400 Catholics, all armed, turned out and attacked the Protestants indiscriminately. The Protestants, to the number of 300, turned out next, and repelled the invasion on their houses, property, and lives. The case was brought before the Irish Government, and an investigation was ordered. The Lord-Lieutenant, whose duty it was to act impartially, summoned only the Magistrates who belonged to one party, the Catholic party. He absolutely excluded Magistrates who were known to be friendly to the Protestant party. When it was a complicated inquiry, involving the interest of two parties, why, he would ask, should the inquiry be conducted by the partisans on one side only? The Lord-Lieutenant's conduct was highly reprehensible. He selected his own court, formed his own tribunal, selected his own witnesses—for even the witnesses were all chosen from one side, to the utter exclusion of rebutting evidence. He did more—he made the investigation a scant and partial one, he excluded the public press — there was no official reporter admitted—the reporters for the press were excluded—all was done within closed doors, and by the organs of a particular party. Even the evidence given in open court was not suffered to be produced before this dark and scanty tribunal. Was this a seemly, was it a just, was it an honest, was it a wise proceeding? In a case deeply involving the interests of many individuals—affecting too the public welfare, and the public tranquillity—should a high functionary stoop from that lofty ground of impartiality which it was his duty to maintain, and link himself by the establishment of such a private inquisition with the Ministers of a party. Everything was done before that tribunal to inculpate the Protestants, and cleanse the Catholics from guilt. Witnesses were refused on the Protestant side to overturn the evidence given by the Catholic party. When the inquiry was ordered by the Lord Lieutenant for the furtherance of public justice it should surely be conducted in the spirit in which it was ordered; it should not be one-sided, but impartial.

Mr. *Feargus O'Connor* said, he would not have uttered a word on the present subject were it not that the hon. Baronet opposite said there was some palliation for the conduct of the Protestants. He hoped the party feelings of the noble Lord and of the Orangemen would be confined to the court house, and not uttered in that House. When the noble Lord talked about his anxiety for the Protestant party

—when he heard declarations made in that House that the time was come when the Protestants of Ireland should stand in defence of their rights—he, as the Representative of the Irish Catholics, should be excused if his feelings sometimes hurried him too far. The noble Lord said the Catholics were armed, and therefore it was necessary the Protestants should be armed also. He also declared, the Protestants would drive the Catholics into the sea if they got one good field day.

> "Words are but wind,
> While actions speak the mind."

When he saw the defenders of the Orangemen on the Treasury Benches he could expect little conciliation, little relief to the Irish people. It had been stated that few police had attacked the people, but the fact was, that there were thirty-seven police who had joined in the attack, and by whom murder had been committed, and there was no magistrate to control them in the outrage. It disgusted him, and all Irish, and all English Members, that they were obliged to rise, night after night, to defend themselves from a fanatic and out of the House, which would lead to the desolation of Ireland. He had no confidence in the declaration of Government that their great aim was to put an end to party feeling in Ireland. He had no confidence in the late Government, for their professions were falsified by their acts. They gave him a Commission, and when they put him to the trouble of the inquiry they did nothing. The Orangemen were now become too powerful to be interfered with. He had no confidence, therefore, in the present Administration, nor in any Administration. His confidence was in the pressure from without.

Mr. *Herbert Curteis*, as an English Member of Parliament, could not help rising to express his disgust that an Irish clergyman should be found acting in the character of a Magistrate during the collection of his own tithe; and he thought that the Government ought to issue an order to prevent the repetition of a like occurrence. He fortunately belonged to a county in which clergymen were considered to have a higher occupation than that of a Magistrate. But, at all events, there could exist no difference of opinion on this point—that clergymen should not be allowed to act as Magistrates in their own cases.

The *Chancellor of the Exchequer* said, that when the papers moved for should be laid on the Table, the directions given by the Government on the subject of the attendance at the collection of tithe, not only of clergymen but of all Magistrates being parties interested would fully appear.

Sir *Henry Hardinge* would content himself with saying, that he had himself taken the pains to impress on the Magistrates of Ireland, and particularly clergymen, the impropriety of being present at any collection of tithe in which they had an interest.

Lord *Mandeville* denied having used the words which had been attributed to him by the hon. Member, (Mr. F. O'Connor.)

Dr. *Lushington* thought, that on one point at least originating out of the present discussion there could be no difference of opinion. He meant, that if the assertions of the noble Lord (Lord Mandeville) were correct, Lord Gosford was not a fit person to remain in the important situation of Lord-lieutenant of the county of Armagh. The assertions of the noble Lord must be either true or false—if false, the noble Lord had much, indeed to answer for in having made them in that House; if true, Lord Gosford could not escape the marked censure of that House. The truth or falsehood of the charges it became now the object to ascertain, and he, therefore, rose to ask if the papers moved for were calculated to effect that object, and if not, whether it could be collected by any other documents in the power of Parliament to command? He maintained that it was the duty of the noble Lord, as an upright and honest Magistrate, to represent the conduct of the noble Earl, whom he accused, to the Government, with a view to its receiving a strict investigation. Honourably, he could not avoid doing so; but, at all events, the House was now bound to interfere. As an English Member, unacquainted with the state of parties in Ireland, he felt quite unable to ascertain the truth of the representations made on either side of the House night after night; and, feeling convinced, that if Ireland was to be pacified they must act on the principle of doing equal justice to all parties, he did desire to have all documents calculated to throw light on the question in dispute. He had the honour of being acquainted with the noble Earl whose name had been brought forward, but, notwithstanding that, he was prepared, should the noble Lord opposite prove the facts he laid to his charge, to vote with him upon any motion of censure he might please to make. Justice would be paralysed if any man guilty of one-half of what Lord Gosford was accused, was suffered to retain the post of Lord-Lieutenant; but, as the subject had been broached incidentally, and without notice being given, so that an answer might be made on the noble Earl's part, he entreated the House to suspend their judgments upon it until the noble Lord did that which now he must do—by bringing forward proof of the truth of his assertions—either save his own character, or for ever destroy that of Earl Gosford. One other point and he had done. It appeared that certain outrages had been committed at Armagh, but, hitherto it had been found impossible to discover the perpetrators. This the right hon. Gentleman, the Secretary for Ireland, had stated to the House, adding, at the same time, an earnest desire, that Government might be able to bring them to justice. That desire might now be accomplished; for, if the noble Lord's assertions were to be believed, it was in his power to identify and bring the parties to justice. The noble Lord confidently stated, that they, meaning the perpetrators of the outrages, were not Orangemen. If the noble Lord knew that fact, he knew who they were—if his evidence was good to prove they were not Orangemen, it was equally good to convict them in a Court of Justice. To this fact he begged to call the attention of the right hon. Secretary, and he might be assured the House would now expect him to avail himself of the noble Lord's testimony in discovering who the parties in question were. For his part, he only hoped the law would be enforced impartially; for, until that was done, Ireland must be a perpetual source of trouble to the Legislature. It was really disgraceful that an assembly should be, as the British House of Commons now was, night after night, and day after day, having its precious time wasted in discussions, as to whether this outrage at Rathcormack or that riot at Armagh should undergo investigation, as if there could be a question that every such violation of the law ought not to be inquired into and punished by the Government. The course that had been pursued by the Government on the two occasions to which he alluded was quite sufficient to raise the impression that justice was not so impartially administered, and while such an impression prevailed, it was altogether vain to expect either peace or tranquillity. It did seem as though the Government were resolved upon giving countenance to the Orange party to the prejudice of its opponents; and while that was the case, there never would be wanting leaders to incite the multitude to violence.

Sir *Robert Bateson* was not surprised that English Members should complain of the disgraceful and disgusting language with which the House was night, after night, polluted whenever Irish subjects were brought on the *tapis*. It was the habit of a certain set of Gentlemen, all most partial to one side of the question, to keep fulminating their threats and abuse against those who differed with them; and if any of the Members on his side of the House got up to state what he conscientiously believed to be the true history of the case, he was sure, without either justice or fairness, to be accused of partisanship. He knew nothing of the transactions to which the notice referred; he only rose to entreat hon. Members not to express an opinion upon them until they were better acquainted with the facts than they were likely to be from the speeches of the hon. Members who had spoken on the other side of the House. They were continually hearing from the other side of the House of midnight outrages; and they were told, that as long as the present Government remained in office, there was safety for neither life or property in Ireland. [*Cries of* "*Hear, hear!*" *from the Opposition.*] It was easy to cheer, but doing so did not of itself prove the truth of the assertion. As to himself, he believed it to be as great a falsehood as could be concocted, and he was happy to say, that all the respectability of that part of the country from which he (Sir R. Bateson) came, fully agreed with him in opinion. All that the gentry and Magistrates of Ireland required was even-handed justice. They sought for no partiality—they looked for no favour. He (Sir R. Bateson) never was a party man, and all he wanted was justice to men of all religious opinions. As to the allegation that his Majesty's Government countenanced a certain party in Ireland, he did not believe it, and was prepared to prove it was not the fact. Indeed its best refutation was to be found in the fact that both extremes of the Irish parties were equally disappointed at the course of policy the Government had adopted. He addressed himself particularly to English Members, for he knew it was quite useless to address the few who arrogated to themselves the title of "The Irish Representatives *par excellence*," and he asked them not to believe what they heard night after night reiterated about Ireland, in speeches only made to keep up that party feeling which it was the wish of every sincere friend of Ireland to put down. He complained that the hon. Members for Ireland who were in the habit of speaking from the other side of the House always took the same side of the question, and never allowed their opinions to coincide with those expressed on his side. He would not follow the example they set him; but if he did, he could state instances of outrage committed on Protestants as revolting and exciting as any of those detailed by the hon. Member for Dublin and his supporters. Within a very short time no less than twelve such cases had occurred in the county he represented. All he wished was a fair representation of the real facts, and that justice should be done to all parties.

Mr. *Elphinstone* rose to put a question to the right hon. Secretary for Ireland. It had been stated that a clergyman of the Church of England had placed himself at the head of a body of soldiers, and that death had occurred in consequence of orders which that clergyman himself gave. He wished to know, why that reverend gentleman had not been struck off the commission of the peace?

Sir *Henry Hardinge* replied, that this question did not affect the present Government any more than the Rathcormac case. When he went to Dublin, he wrote a circular letter to all the magistrates, directing that no one should act as a magistrate where he was himself interested, and that no clergyman should act as a magistrate in the collection of his own tithe.

Colonel *Verner*, as one of the representatives for the county Armagh, in some degree identified with the occurrences which took place in that county, and having been personally alluded to by the hon. Member who brought forward the Motion now before the House, trusted he should be permitted to make a few observations in reply to what had fallen from that hon. Gentleman. The hon. Member for the borough of Armagh (Mr. Dobbin), had told the House that a numerous body of persons came into the town of Armagh for the purpose of attending the election of the county members, and that those persons were the promoters of all the disturbances which afterwards took place. He did not think it was fair upon the part of that hon. Gentleman to have concealed from the House that his own election, the election for the borough, had been going on for five days, and had not terminated when the election for the county commenced. He was sure the hon. Member would not hesitate to admit that at that election strong party feelings were exhibited—that frequent riots had taken place — that broken windows, and broken heads were not less numerous than on former occasions—that the friends of neither candidate were in a state, soberly, to discuss the claims of either, and that the town was in a great degree of excitement when the election for the county came on. It was not, therefore, fair upon the part of the hon. Member to lay to the charge of the persons who came to attend the county election, the injury done to the town. But the hon. Member has also omitted to mention that some persons well known to the hon. Member, amongst whom were Mr. Sinclair, his brother, and son, who left the town to return home at the early hour of four o'clock, were stopped upon the road so well described by the noble Lord, the Member for Huntingdonshire, by a Roman Catholic, who prayed them for God's sake to return home by another road, as there were at least 700 men well armed waiting until they came up to where they were, and not one of them would go home alive; to which Mr. Sinclair replied that he was not aware of having given offence to any person, and that he would go on. The party did proceed, and when they arrived at the part of the road described by the person from whom they had received the caution, several guns, from both sides, were presented and attempted to be fired at them, but fortunately, owing to the wetness of the afternoon, not more than three or four went off; otherwise, the prediction of the informant must have been verified. Several persons returning home were dreadfully beaten by this party. On his return from the county Tyrone, where he went to attend the election for that county, he found a letter from a very respectable Gentleman residing in Blackwater town, in which he stated that 400 men had marched through that town, all armed, denouncing him (Colonel Verner) by name, himself, and all those who had dared to support him at the election. That there were neither military nor police in the place—that they were in expectation of being hourly attacked, and, with the exception of half a dozen young men who had guns, and who were assembled together, they were without the means of defence or protection. He mentioned these circumstances, to which no allusion had been made by the hon. Member for Armagh, in order that the House might judge whether the Protestants had not sufficient cause for alarm. The hon. Member had taken upon him to state, that the injury done to the houses, whether in the town or in the country, was done by Orangemen. It is very evident that the hon. Member did not attend the investigation at Armagh, or he would not have uttered such a calumny against that body. He had had a copy sent him of the evidence, taken by a professional gentleman, at that investigation, which was compared with the evidence taken by the clerk, appointed by the persons who conducted that inquiry, and admitted to be correct. He had carefully read it over, and in no one instance had a witness sworn that any of the depredations were committed by Orangemen. The hon. and learned Member for Tower hamlets has said, in reply to the noble Lord beside him, that the persons guilty of these acts must be Orangemen, because it was not proved that they were not Orangemen. That was a most extraordinary argument. Now, there were several persons examined belonging to the houses which were burnt, and they every one swore, that they did not know an individual amongst those who were concerned in burning their houses—that they had never seen them before, and did not think they should know them were they to see them again; and yet from this evidence the honourable Member concluded they must have been Orangemen, and accused them accordingly, of being so; but the evidence of the inspector of police went to say, that he was unable to trace any connexion between a body of persons upon a hill about four hundred yards distant from where the houses were burnt, admitted to be Protestants, and the party who burnt those houses. A curious circumstance occurred to Mr. Olpherts, the magistrate, who was actively engaged in quelling the disturbances, and endeavouring to discover the offenders. He went into the house of a woman, who stated her house to have been set fire to at the outside, but which fire had been subsequently extinguished. Upon examining the premises he was clearly of opinion that the fire must have originated at the inside. Upon interrogating the daughter apart from the mother, and ignorant of the evidence her mother had given, the daughter swore that she saw her mother take a candle, and go down to the room in which was a quantity of dry straw. Whether this was done for the purpose of charging Orangemen with the act, or, as appeared on another occasion, for the purpose of recovering the expense from the county, was a matter of conjecture. In allusion to what has fallen from the noble Lord respecting the manner by which the Court of Investigation was assembled, he would beg to say a few words. He admitted, as a magistrate, he had no right to expect any summons. He had ceased to belong to the magisterial body in the county of Armagh; he had resigned the commission, which he could no longer bring himself to hold, when he saw those with whom he had been acting for upwards of thirty years, insulted and deprived of their commission without any investigation into the charges preferred against them; but as one of the representatives of the county—identified with those persons who were charged with being the disturbers of the peace—he did, he confessed, feel that his being overlooked was not a matter purely accidental. He was on his way to leave the country with his family, when, by accident, he heard the inquiry was to take place next day; he did, in consequence, delay for a day his journey, and was present at the first day's investigation, when he saw the hon. Member for Armagh, who, like himself, was not, he believed, present, except upon that one occasion. He heard the letter of the right hon. Secretary read by the noble Lord who presided at that meeting—he heard the instructions which that letter contained read, and which were, that the investigation was not to be confined to the recent outrages which had been perpetrated, but was to go back to the time of the races in October last. Why those instructions were not complied with, he was unable to say. The attention of the House had been frequently of late, called to the circumstance of the Protestants of Ireland having arms. Now, he would beg to ask, were the Protestants of Ireland the only persons in that country who were to be permitted to have arms? He recollected perfectly well being told so by the hon. and learned Member for the city of Dublin last Session of Parliament. He thought it was during the discussion upon the Coercion Bill that the Roman Catholics of Ireland were armed, and the hon. Member added, and well armed too. [Mr. *O'Connell:* What he said was the Roman Catholics of the North.] He would address himself more particularly to the English Members, and he would ask them, whether it was right that the only acknowledged friends of British connexion in Ireland should be the only persons who were to be deprived of the means of defence, and whether the handful, which they were said to be, were to be delivered over to the millions, of whom they heard such repeated boasts, to be sacrificed by them whenever the proper or convenient time might arrive, at the shrine of Repeal or Popery. ["Oh, oh!" from Members opposite.] Hon. Members might cry "oh, oh" but had not the hon. and learned Member said, that all he required was the co-operation of Protestants, to insure the Repeal of the Union before twelve months. Was not that admitting that the only obstacle to the attainment of that measure was the opposition of the Protestants of Ireland? Disarm that body, and the hon. Member's object would be at once gained.

Mr. *Smith O'Brien* said, it seemed that the north of Ireland was in a state of civil war, and the Secretary of State for the Home Department gave encouragement to the factious feelings which prevailed, by receiving, and forwarding gracious answers to, addresses of an illegal character. For what other purposes were those addresses received, if it were not to keep up the feelings of faction, and the excitement that existed? He had the pleasure of listening, the other night, to the professions made by the right hon. Gentleman on the Treasury Bench, but he had not the pleasure of hearing him declare that such things were not to occur again. When the Orange party saw the allies, by which they were surrounded, and the spirit with which they were defended, could the Government be surprised, that it had not the support of a single Catholic in Ireland, nor of a single Member who truly spoke and represented the sentiments of that body?

Mr. *Dobbin* wished to state an instance of 2,000 Orangemen having marched, during the last election, into Armagh, with colours flying, and decorated with the Orange emblems. They did so much mischief, that two days were occupied in assessing the damage, which was estimated at 1,400*l.*, from the injury done to houses in the town.

Colonel *Verner* was not out of the town on the day in question, and he denied that the Orange party appeared in the town decorated as had been described.

Mr. *Dobbin* said, he was on the hustings, from which he should doubtless have been dragged by the Orange party, and his life perhaps sacrificed, but for the protection the police afforded him.

Mr. *O'Connell* had no desire to prolong the debate, but having interrupted the hon. and gallant Colonel in his allusion to him, he would state the opinion with which he had accompanied his declaration, that the Catholics were arming in the north. He had distinctly declared, that the greatest mischief consequent upon the possession of arms, by Orangemen, was, that Catholics who ought not to have arms, would procure them, at all hazards. For his own part, he wished neither party to have them.

Motion agreed to.

CINQUE PORTS.] Sir *Thomas Troubridge* moved for a return of all appointments made, during the last ten years, by or under the control of the Lord Warden of the Cinque Ports; specifying the particular duties attached to each, and the respective salaries, fees, and other emoluments thereto attached; and from what funds such emoluments are derived.

Mr. *Williams* observed that there appeared to be grounds for suspecting that the appointment of Pilots, was but too often influenced by political considerations. It appeared that in one case, out of a crew of fifty-three Pilots, forty-eight were freemen of Dover; and that in another, out of a crew of forty-two, twenty-nine were freemen.

Colonel *Evans* said, his opinion was,

that it was now full time, to put the pilotage of the ports of this kingdom, under a better government than it had heretofore been; and, indeed, to put an end to the office of Lord Warden altogether, which was generally filled by an individual not of a naval character.

Sir *H. Hardinge* considered that the gallant officer, in objecting to the office of Lord Warden, because it was not filled by a naval officer, might as well say that the office of First Lord of the Admiralty, ought to be filled by a naval officer.

Colonel *Evans* said, there was no analogy between the offices; but the point to which he intended to call attention was, that as respected the maritime interests, the office of Lord Warden of the Cinque Ports was an anomaly. He did not see why there should be a Lord Warden to a particular part of the Channel. The consequence of the present arrangement, was frequently great danger to human life. The port of Rye had been omitted by Act of Parliament from the same jurisdiction as the other ports; and the Lord Warden, therefore, not thinking proper to appoint pilots for Rye, there had been no pilots there for a series of years. The pilots of that part of the Channel ought to be placed under the control of the Trinity Board.

Mr. *Robinson* said, that although the papers moved for, related to the Cinque Ports, yet the question extended itself to other places. He was happy that Government had taken up the subject. He believed there were no complaints, generally speaking, respecting pilotage from places where competition was open, but that the complaints came from places where the appointments were made in secret, which was a system highly prejudicial to their efficiency, and to the maritime interests.

The motion was agreed to.

ELECTIONS (IRELAND)—EMPLOYMENT OF MILITARY.] Mr. *Mullins* moved for copies of any correspondence between the Lord-Lieutenant, the Deputy-Lieutenants, and Magistrates of the several counties of Ireland, and the Irish Government, previously to, and during the late elections, with reference to the distribution and employment of the military force, and to apprehended obstructions of the freedom of election. He said, it certainly was his intention to press for their production; but, he understood it was wished by Government that a further time should be allowed.

Sir *Henry Hardinge* had no objection to the returns moved for, but he would remind the hon. Members for Ireland, that an interval of two days, was not sufficient between a notice of Motion and the Motion itself, when the subject concerned related to transactions, the documents connected with which must, of necessity, be in Government offices in Ireland. On the present occasion, however, he had no objection to produce the Papers, and when they were produced, he took that opportunity of informing the House, he should move that all the Reports relating to matters occurring previously to, and at the elections, should be referred to the Committee on bribery and intimidation. With regard to the employment of the military, the Papers, when produced, would prove they had never been employed, but on grounds perfectly justifiable.

Mr. *O'Dwyer* regretted to hear so confident a statement from the gallant Officer, with respect to the use of the military. He had himself known instances of the most gross and unwarrantable interference on the part of the military. He would read an extract of a letter he had received from the Rev. Mr. Webb, of Borris, as evidence of the system which had been pursued:—"We were obliged to close our chapel, these two last Sundays. This extraordinary measure we were obliged to resort to, that murder might not be committed. The magistrate brought a company of soldiers on each Sunday, and had them placed at the chapel to protect some voters. If we had permitted the people to assemble, there is no doubt the moment they had appeared, the military, armed as they were, would have found a pretext to fire on the people; for the people, it was more than probable, on their appearance, would have been greatly excited, and made an attack." The writer also requested the hon. Member to inquire of the Chief Secretary for Ireland, by what authority this military force had been stationed there.

Sir *Henry Hardinge* thought it very advisable for hon. Gentlemen to avoid discussion, when moving for returns of papers. He had endeavoured to do so, but was provoked into reply by statements that were made on the opposite side of the House. He had heard of outrages, such as the hon. Gentleman alluded to at Borris, where it was stated that people were pulled out of their pews, the pews destroyed, and the people dragged into the streets and severely beaten. Similar scenes, it had been asserted, had taken place several times subsequent to the Carlow election, when neither the influence of the priests, nor the sanctuary of the temple, were any protection. If hon. Members would favour him with the names of parties engaged in such alleged disturbances, he would promise to institute the proper inquiries, and give them satisfactory answers. As far as he was able to judge, the conduct of the military had been on all occasions most exemplary. Depending on the returns of Sir Hussey Vivian, he was authorised to say so. It had been a matter of particular inquiry by the Commander-in-Chief, whether the troops had on any occasion entered into the contest influenced by the spirit of either party. The answer to such inquiry, both from Sheriffs and Returning-officers, was perfectly satisfactory, and the conduct of the military had met on several occasions the approbation of the disappointed candidate. The hon. Member for Cork, whom he saw opposite, he believed, had given his testimony in favour of the conduct of the military, an opinion, he believed, the House would universally arrive at, whenever the subject was brought forward and regularly sifted.

Mr. *Feargus O'Connor* said, that at the election alluded to, he was rather surprised, when about to address the people, to find himself surrounded by drawn swords and fixed bayonets, but he managed to keep the soldiers in good temper, by talking of the impolicy of flogging in the army, of the evils of unmerited pensions, and the propriety of appropriating such pensions to the relief of the widow and the orphan.

Sir *Henry Hardinge* had seen a letter written by the hon. and learned Member for Dublin to Sir Hussey Vivian, in which the hon. and learned Member praised the conduct of the military at Youghal, as having been admirable. As proof, too, of the good effects of employing that force, he begged to call the attention of the House to this fact, that in 1832, troops were not employed, and in Carlow fourteen men were actually killed; in 1834, they were employed, and there was only one man killed, and that was in Meath. He thought, therefore, he was quite right in saying, that their employment was perfectly justifiable, particularly as there had been no complaint of misconduct, every account, on the contrary, agreeing in stating their conduct to be most exemplary.

Mr. *O'Connell* could not complain of the conduct of the military, but their conduct reflected no credit on the Magistracy, but on the gentlemen of the army, and the good feeling of the soldiers themselves. In the letter alluded to by the hon. and gallant Officer, he did not, as was supposed, express so much satisfaction at the conduct of the military in itself, as he did a preference to it when compared with that of the police. He had written to the Commander of the Forces with regard to the practice of the soldiery firing on the people, and had received an answer, he would admit, which was perfectly satisfactory. He willingly gave credit to the army, and he believed that gentlemen in command had received orders to adopt every precaution in cases of Magistrates giving unnecessary orders. It had been stated that in 1831, murders had taken place, and that in 1834, there were none—[Colonel *Perceval:* One only.] One only, and that in the county remarkable for its brotherly love. There were none killed in the Southern counties.

Sir *Henry Hardinge* was sure that the hon. and learned Gentleman and the House must be aware, that the military could only act at the requisition of the magistracy in Ireland, as well as in England. The troops had strict orders not to interfere, except at the requisition of the magistrates; and, unless they did then interfere, it would be impossible for any Government to be carried on.

Mr. *John O'Connell* objected to the interference of the Magistrates. In the county which he had the honour of representing for two Parliaments, the Magistrates were all of a particular caste of politics; they were all of Orange principles. There was not one of them who had a vote but who had voted, both in 1832 and 1834, against the popular candidate. He could bear testimony to the advantage derived from the presence of the military at elections in Ireland, at the same time he felt bound on all occasions to object to their introduction as unconstitutional. With respect to what had been stated regarding the loss of life at the Dungarvon election, he should beg the House to bear in mind that it was not through the people it had occurred, but through some marines who were directed by the Magistracy.

Colonel *Bruen*, as representative of a large county (Carlow), could not let the opportunity pass of adding his testimony to that already borne to the efficiency and good conduct of the military, and, also, to the particular necessity which existed almost always in Ireland for their presence at elections, but more especially at the last election in that kingdom.

Mr. *Henry Grattan* begged to add his meed of praise to that which had already been bestowed on the military. Their conduct, contrasted with that of the police, was decidedly in their favour. Advantage was always derived to the peace of the country from employing them in preference to the constabulary, in consequence of the latter being more immediately under the control of, and responsible to, a partial Magistracy.

Colonel *Evans* said, that he had been in Carlow at the last election for that borough, and on that occasion he had seen a display of military, horse and foot, which would have led him to suppose the town was in danger of destruction. Yet he did not perceive the least appearance of excitement among the people, or even anything like a crowd, to warrant such a display of armed force. In England elections partook of the nature of a solemn civil ceremony. In Ireland, on the contrary, they appeared to partake of a military character. In England, the military never appeared at elections without the most absolute necessity existed; in Ireland they were called out and paraded in all places before any necessity was even thought of. With respect to the question at issue—the conduct of the Magistracy—he thought the right hon. Secretary for Ireland had gone beyond his duty in declaring his belief in their innocence. It was like prejudging the question, and could not but have its effect in prejudicing the course of justice. He wished to know whether the right hon. Gentleman (Sir Henry Hardinge) spoke from his own knowledge, or merely from the information supplied by the local Magistrates?

Sir *H. Hardinge* rose, but

The *Speaker* interposed, and said, that, he could not help expressing it as his opinion, that very great inconvenience would arise if discussions were entered into by hon. Members in anticipation of the production of documents which were promised to be laid before the House. If, however, a sense of justice induced him in this instance to permit the right hon. Gentleman (the Secretary for Ireland) to address the House in reply to the observations of those who had preceded him, he trusted he should not be understood as countenancing discussions of this nature which, if generally allowed, must necessarily be attended with very great inconvenience.

Sir *Henry Hardinge* most cordially acquiesced in the justice and propriety of that decision. During the course of the evening various attacks had been made on the Irish Government, on the one hand for being too Orange, and on the other for being too Catholic; his great object, however, had been, and always would be, to act with the strictest impartiality; and although he did not enter into details for the purpose of vindicating the course which had been pursued, it being most improper to anticipate a debate on papers which were to be produced, yet he could not avoid stating, that the conduct of the military had, on all occasions, been most exemplary, and in consequence of the protection afforded by them to the people, not a single life was lost at the last election, while at the one preceding not fewer than fourteen were sacrificed.

Motion agreed to.

ECCLESIASTICAL COURTS.] The *Attorney-General*, in moving for leave to bring in a Bill to Improve the Administration of Justice in Ecclesiastical Courts, said, that he did not propose occupying the attention of the House at any very great length in introducing the Bill which he proposed to submit to their consideration; but as this was one of the subjects alluded to in his Majesty's most gracious Speech from the Throne, he thought it would be unbecoming in him if he did not state, as shortly as he could, the general object and scope of the Bill which he meant to offer for their adoption. The leading object of it was to consolidate some 300 or 400 courts which were dispersed all over the country, and which were incompetent to perform those functions of justice which had been assigned to them, and concentrate the jurisdiction in Ecclesiastical matters in one court, to sit either in London or wherever his Majesty should be pleased to appoint. It was also intended by the Measure to invest the new Ecclesiastical

Court with additional powers, in order that there might be a more effectual administration of justice in Ecclesiastical matters which came under its cognizance; while its jurisdiction over certain other matters which had been made the subject of complaint more than once since the House met would be entirely removed. The Court of Appeal which an hon. Member had alluded to, and which formerly was known as the Court of Delegates, was already abolished, and its authority transferred to the Privy Council—it was proposed that the Privy Council should be also the Court of Appeal from this new Court. The effect of this alteration would be the bringing into one system, and under one arrangement of rules, a variety of important jurisdictions now exercised in point of practice by eight or ten different courts, and capable of being exercised by no less than between 300 and 400. Before detailing some parts of the Bill, he begged leave to state to the House the origin of the measure and the share he had in its introduction. In January, 1830, a Commission was appointed (subsequently renewed on the demise of the Crown, in the month of July the same year) for the purpose of investigating the Ecclesiastical Courts, and the Report was made in the month of February, 1832. A more learned and valuable document than the Report of the Commissioners which he now held in his hand, he had rarely met with, to the composition of which the hon. and learned Member for the Tower Hamlets, he believed, had very much contributed. The Report contained many most valuable suggestions, and having, in part, subsequently received the sanction of a Committee of the House of Commons, a bill was prepared, with considerable care, in the latter part of last year, which he believed received the sanction of nearly every one who had been consulted on the subject—among others, of the hon. and learned Members for Edinburgh and the Tower Hamlets; the latter of whom, though he had his professional interest to consult, hesitated not in confirming the opinion that if such a measure were adopted it would be the means of conferring general benefit on the community. It embraced a great variety of particulars, but he proposed calling the attention of the House merely to two, one relating to the Ecclesiastical Court, and the other, by and by, to the Discipline of the Clergy; those subjects being of prominent importance and pressing necessity. It was quite obvious that the existence of so many different tribunals, amounting, as he had stated, to nearly 400, and embracing diocesan and archidiaconal courts, peculiars of various descriptions, and some manorial courts, must lead to considerable inconveniences, possibly to conflicting decisions, and, in many instances, it was almost impossible that there could be an adequate judge, so that practically a denial of justice was, in many instances, the inevitable result. It was proposed by this Bill to consolidate into one court all those separate tribunals, and prevent in future any one of them entertaining any contentious jurisdiction whatever. It was also proposed to limit the new court to certain matters which were considered of sufficient importance to occupy its entire attention, and transfer to the ordinary courts of law others which had been hitherto investigated in Ecclesiastical Courts. The most important matters with which the Ecclesiastical Courts hitherto had jurisdiction related to testamentary and matrimonial causes, which it was proposed they should still retain; but of all jurisdiction as to tithes and other subjects enumerated by the learned authors of the report as civil and spiritual it was proposed to deprive them. They would also be prevented from intermeddling in those offences which belonged to the clergy—neglect of duty, statements of opinion not in accordance with the doctrines of the Church of England, and questions touching the relaxation of discipline, to be provided for by a separate bill; while all cases of defamation, brawling, laying violent hands in the Church or precincts of the church, and immoralities to which he would not particularly allude, might very well be left to the law as it now stood in the ordinary criminal courts of the country. Except for the purpose of producing nullity of marriage, for adultery, and incest, questions of that nature would also be withdrawn from the Ecclesiastical Courts. Such were the principal objects the bill had in view; but there was another important feature in it which he was anxious to state to the House. He alluded to the power of directing an issue, in order that a disputed question of fact might be settled in that most convenient and most constitutional of all methods—namely, Trial by Jury. It was proposed that the judge of the Ecclesiastical Court should have the power of sending an issue to be tried, in the same manner as the judges of the Courts of Equity were in the habit of doing when a question turned on matters of fact. There would also be an appeal from the Court to the Privy Council on the granting or refusing an issue on a new trial, which he hoped would operate as a sufficient check, and be satisfactory to the public. The Ecclesiastical Court, it should be remembered, had to deal with some of the most important and complicated rights and an immense proportion of the wealth of England—all matters testamentary and all property passing by will, it was, therefore, necessary, in order to its due administration of that branch of justice that it should be invested with sufficient powers, by calling in the aid of that important machine in investigating truth, Trial by Jury, the right of appeal, and at the same time that its powers were enlarged, to disencumber it from inquiries into a variety of criminal matters which had hitherto tended only to embarrass and perplex its operation. It was to be in future the King's Court, not the Court of any Archbishop or spiritual person whatever, and was to be held under the same rules and regulations to which the other learned judges were subject. The Measure was not peculiarly his, having been called on in his official capacity to take up the question and introduce it to the House. But, having diligently read the Report, in which he found much learning, great labour, considerable judgment, and extensive elucidation of important questions connected with the subject, he was not unwilling to avail himself of the suggestions which it contained, as he should always be ready to support any practical measures of improvement or reform, whether proceeding from that (the Ministerial) or the other side of the House, for no Member, whether lay or legal, could be more anxious than he was to improve the institutions of the country by properly-considered and well-defined measures of practical reform. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

Dr. *Lushington* said, that there was a portion of the Report of the Commissioners which, if not adopted in the Bill of the hon. and learned Gentleman, or made the subject of a distinct measure, would defeat all that the Bill before the House proposed to do. It was that part of the Report which contained the recommendation of the Commissioners to abolish all the sinecure offices so numerous in connexion with the Ecclesiastical Courts. Not less than 60,000*l.* were divided in this way between the protegés of Bishops and Archbishops. Unless that source of patronage were lopped off the measure would give no satisfaction to the country. One of the highest Ecclesiastical personages in the kingdom, the Archbishop of Canterbury, had, on his (Dr. Lushington's) proposition as a Member of that Commission, relinquished at once patronage enjoyed by himself and his predecessors to the extent of 10,000*l.* a-year, spread over many sinecure offices. One was of considerable value, seven or eight varied from 1,500*l.* to 500*l.* a-year, all of which his predecessors had retained, other persons performing the duty, and they themselves taking the greater share of the emoluments. Within the short space of ten minutes his Grace replied—"It is so proper and just that I cannot hesitate an instant." In the same spirit every individual of the right reverend bench forming a portion of the Commission relinquished his patronage for the public good. He (Dr. Lushington) hoped that the same spirit would actuate the House when they came to consider the details of the Bill, and that they would unhesitatingly remove these overflowing sources of obloquy and public complaint. With respect to the measure of the Attorney-General, he (Dr. Lushington) felt bound to say, such was his sense of its imperative necessity, that he was only restrained from introducing one of the same nature by a knowledge of the fact that it would come with greater weight from the Government, and be more operative in its general effects on the Legislature. The preceding Government were undoubtedly very anxious about the matter; but they had not had time to mature it sufficiently. No blame could, therefore, attach to them for having delayed the production of a measure analogous to the present. He was rejoiced to find, that one of the provisions of the Bill took such offences as that of defamation out of the hands of the Ecclesiastical Courts. It was only in the month of May last that he had himself been compelled, in the discharge of his duty, to send an individual to gaol for defamation. He had no option, consistently with a due observance of his oath, but to act in the manner which he had mentioned. He sent the man there, and there he was at present, and there he might remain, for he knew not of any law by which he could be released. This was only one of many instances which illustrated the worst species of trials for defamation. He could not but attribute guilt to the Legislature for not having at an earlier period instituted inquiries into this subject, and for not having relieved Judges from a duty so odious, as that of punishing men *pro salute animæ*. The object of the report most especially was, the entire extinction of what used to be called the criminal jurisdiction of the Ecclesiastical Courts; that was to say, that hereafter no Ecclesiastical Court should exercise the power of punishing any person upon a criminal process. Another branch of the jurisdiction of the Court was that exercised over clergymen. This ought likewise to be taken away, and yet it was impossible that such a power of supervision should be extinct, and it therefore ought to be transferred to another jurisdiction, for which a separate Bill would provide, according to the recommendation of the Commission. This Court would take cognizance of all offences committed by clergymen in the neglect of the discharge of their duty; but it would not, in the slightest degree, interfere with the present jurisdiction of the Courts of Common Law in any other offences that the clergy might commit. The instituting of this new Court would be for the purpose of establishing a fair, impartial, and not expensive tribunal, for the purpose of correcting in time all improprieties and neglects in the ministers of religion, and of correcting them, not at a period when public scandal had been so excited, that the Bishops themselves, as had been the case in many instances, had been compelled to take the duty of correction upon them, and at their own expense, amounting in some instances to hundreds of pounds. The establishment of this jurisdiction would confirm more strongly the affections which still remained in the people of this country for the Established Church. All that would remain for the present Ecclesiastical Courts to perform, after the present Bill should have passed, would be the determination upon matrimonial and testamentary causes. These were causes, unquestionably, of very great importance, and no man who sat in that House, or who was not in that House, could feel but the deepest interest in the reform of the Courts which had to administer justice in such cases. Independent of the importance attached to the separation of husband and wife, the question of nullity of marriage involved the question of legitimacy, and the question of legitimacy involved the rights of property to an immense amount. With respect to testamentary causes, in his humble judgment, if the House did its duty to the public there ought not to remain any difference of law with respect to decisions upon the devising of real and personal property. He never had been satisfied that it was for the interest of the public that the disposing of real and personal property should be tried by a Jury in one case, and by another species of tribunal in another. The expenses of a double trial were not justified. The measure now introduced, when it came to be duly considered, would make every man of opinion that a more important Bill of Reform had never yet been suggested to the House. It was a measure which every Member would find to involve his own interests, and he cordially thanked his hon. and learned Friend, his Majesty's Attorney-General, for having availed himself of the earliest opportunity of bringing the measure forward.

Sir *John Campbell* rose to express his entire concurrence in the views which had been taken of the subject by his Majesty's Attorney-General, and by his hon. and learned Friend, the Member for the Tower Hamlets. The moment the Report of the Commission had been presented, he had read it with the utmost satisfaction. The public were deeply indebted to the hon. and learned Member for the Tower Hamlets, and very great credit was due to the right Reverend Prelates, the Archbishops of Canterbury and York, and the Bishops of London and Durham, and the other Members of the right Reverend Bench, who had concurred under the Commission in recommending the Reform of all the abuses which had so disgraced the law of England, and who, for this object, had voluntarily consented to part with very valuable patronage. The criminal jurisdiction of the Ecclesiastical Courts ought long ago to have been abolished. Their proceedings *pro salute animæ*, were really for the sole purpose of putting fees into the pockets of the officers of the Courts. All persons knew, that the great obstacles to all improvement in this country were fees and patronage. The officers now had fixed salaries, and, therefore, they were as willing as other people to see abuses corrected. He was glad, that the Bill would abolish between three and four hundred Ecclesiastical Local Courts, for these were Courts purely mischievous. They created great expense, and great confusion. His hon. and learned Friend had said, that he intended to bring forward a measure for the administration of local justice throughout the country. He would beseech him not to abolish the jurisdiction of the Diocesan Courts. Let all the Peculiar and Manorial Courts be abolished; but it would facilitate the business of the country, if the probate of wills were to be allowed to remain with the Diocesan Courts. It was possible to centralize too much—to bring proceedings too much to London; and there would be an inconsistency in his hon. and learned Friend, the Attorney-General, bringing in two Bills, the one to create Local Courts for the trial of civil causes, and another for sweeping away all Local Courts, which took cognisance of Ecclesiastical cases. His hon. and learned Friend would find, that in this particular, he would give umbrage to the country solicitors, a very powerful body, who would be sending numerous petitions on the subject to the House, and who would be able to induce many country Gentlemen to vote against the Reforms altogether. There was a manifest hardship in compelling persons from distant parts to come to London to prove a will. Another point was, whether the supreme Courts ought not to have the power of dissolving marriages? Dissolutions of marriage ought to be tried before judicial tribunals, and not before the Legislature. It was a disgrace to the House of Commons, and to the House of Lords, and to the whole country, that whilst marriages by the law of the land were indissoluble, they could be dissolved by prerogative. When the case of a divorce Bill was before either House, and witnesses were examined at the Bar, the whole proceeding was a mere farce—a most expensive farce, it was true—but a farce that brought no credit at all to any party. He knew not why, in this country, as well as in Scotland, and the other countries in Europe, all such matters should not be brought before a judicial tribunal. These were judicial questions and not legislative, and judicial tribunals ought to have the power to grant divorces, both *a mensa et thoro, et a vinculo matrimonii.*

Dr. *Nicholl* was convinced, that the country could not be satisfied if the decisions of such important cases as matrimonial divorces should be left to the decision of one single Judge. He would rather that such decisions should be left to a Judicial Committee of the Privy Council, which was a very important tribunal. He was attached, by early prepossessions, to the Court of Doctors' Commons, and he could not bring himself to consider the decision of one single Judge in such cases as satisfactory. With respect to the Diocesan Courts, he would not enter into the subject; but he was sure the hon. and learned Member for the Tower Hamlets would bear him out in saying, that the maintenance of those Courts would be perfectly impracticable if the present Bill were to pass. He begged to remind the House, that the Bill contained a provision for issuing a Commission to empower Courts in the country to grant probates of wills of small amount. He thought that this provision was amply sufficient for all purposes. He hoped, however, that some provision would be made for the distribution of copies of wills throughout the country; that would confer great benefit upon the public.

Mr. *Pryme* would not oppose the introduction of the Bill, but he was still not disposed to assent to all its intended provisions. It was by no means shown that the remedy which was to be provided against the inconveniences of the present system consisted in the abolition of all the Ecclesiastical Courts, and the establishment of a single tribunal in London. Such a plan might be very convenient for the adjudication of large testamentary causes—in other words, for the interests of the rich; but in cases involving property to smaller amounts, the effect of it would be different. In respect to that part of the subject which related to divorce, the existing law certainly required alteration; there was, indeed, at present one law for the rich, and another for the poor. But that would be still more the case if the jurisdiction over cases of this kind were confined to one central court. He contended, therefore, that it would tend to reform the several courts in the different provinces. These objections of his applied to the principle of the present measure, and could not, he feared, be removed by any alteration in its details.

Mr. *Cutlar Fergusson* bore testimony to the zeal of the right reverend Prelates who formed part of the Commission on whose report the present measures were founded, in removing abuses, and to their willingness to sacrifice their own time and their own interests for the sake of furthering that end. He did not think that it would be safe to leave testamentary causes, involving, as they often did, questions of the inheritance of land, to the decision of Local Courts; in his opinion, the tribunals which adjudicated such matters ought to be of the highest importance and character. As to the subject of divorce, it was, in his opinion, of the greatest importance that some change should be made in the existing laws upon it. He thought that the scandal of a Parliamentary divorce—the necessity of applying first to a Court of Law, and then to that House, where such causes were made matter of jest and merriment, and then again to the House of Lords—was a disgrace to the country; but still he was unwilling to invest courts of inferior jurisdiction with the decision of cases of such importance. He hoped, however, that the hon. and learned Gentleman and his Majesty's Government would turn their attention to the subject.

The *Chancellor of the Exchequer* said, I trust, that this House will receive the present measure as the first practical fulfilment of the pledges given in his Majesty's Speech from the Throne, that his Majesty's Ministers were desirous of introducing into the administration of the law the most substantial Reforms, and of redressing every grievance, of which just complaint can be made. I do hope, that it was some kind of prognostication of the nature of those Reforms, which convinced the hon. Member for Middlesex, that it was not necessary to hold over his Majesty's Ministers the menace of limited Supplies. The hon. Member will see in the strong and uniform testimony borne to the efficacy of this Reform, a guarantee of the intention of his Majesty's Ministers, with respect to Reforms in general. This Reform in the Ecclesiastical Courts throughout the kingdom, is founded on the Report of a Commission of Inquiry, established upon the advice given by his Grace the Duke of Wellington, to the Crown. Nothing can be further from my intention, than to claim for his Majesty's Ministers the exclusive merit of this Reform. Few things are more honourable to party connexions in this country, than the manifestation on the part of public men of a willingness to co-operate in measures of Reform, that are complete and well calculated to promote the public welfare. The hon. and learned Member, who spoke last, has, with a modesty and forbearance, most creditable to himself, concealed the fact, that he was one whose co-operation had been of such signal utility to the inquiries of the Commission. The hon. and learned Gentleman, and the hon. and learned Member for the Tower Hamlets, notwithstanding their total alienation from that political party, by which this Commission was instituted, were not unwilling to tender their gratuitous and invaluable services to forward all the purposes of the Commission. I do say, that such conduct redounds much to the honour of the hon. and learned Member; and that it redounds generally to the honour of Gentlemen, who, notwithstanding all their differences in party politics from the Government of the day, were the first to tender their services to perfect the laws of the country. A grateful testimony has likewise been borne to the dignified Ecclesiastics, and to the Clergy throughout the country, who were willing to sacrifice their private patronage, and to cast aside all personal interests, in order to benefit the country by promoting the objects of the Commission. I find this conduct has been invariable on the part of the right Reverend Prelates, notwithstanding the attacks that I see have been made on them in other quarters. Yes, Sir, uniformly have they evinced the same disposition to sacrifice every private consideration, in order to further the progress of useful Reform. As soon as his Majesty's Commission was established, the first offer made by every Member of that Commission, whether Ecclesiastical or Lay, was to suspend every appointment to Ecclesiastical preferments which had not attached to them a cure of souls until the Report of the Commissioners should decide upon the utility or inutility of filling up the places. Such has been the conduct of the Archbishop of Canterbury, of the Archbishop of York, and of the Bishops of London, of Lincoln, of Gloucester, and of the Lord Chancellor. All signified to the Commission, that not one of them would make any appointment to any Ecclesiastical preferment whatever, till the circumstances of the preferment had undergone the consideration of the Commission, and until it had been determined in what manner the preferment could be made most beneficial to the interests of the Church. With respect to the particular measure before the House, I go further, much further, than some of those hon. Gentlemen who claim to themselves the title of Reformers. The hon. Gentleman, the Member for Cambridge, advises that the Local Ecclesiastical Courts should be continued in existence, while the whole object of the present Bill is to put an end to these local Courts. Another hon. and learned Member (Sir J. Campbell) has said that the Diocesan Courts should be continued, lest the country attorneys might petition the House, and oppose the Bill, through the medium of country Gentlemen, whom they may be able to influence. Why, Sir, I am a greater Reformer, than even his Majesty's late Attorney-General. If the local jurisdiction be good, maintain it; if bad, for God's sake, dont let us permit local attorneys, for their private and personal interests, to obstruct the course of Reform. If the country attorneys have any vested rights, any vested interests, in the maintenance of these Courts, let us compensate them; but if it be useful, if it be for the benefit of the country at large, that Central Courts shall be established, and that Local Courts be abolished, what grounds have country solicitors to obstruct the course of Reform? I know that the country solicitors are a powerful body; but if the present measure be right, if centralisation be more advantageous to the country than the continuance of local jurisdiction, I see no earthly reason, why the power of the country solicitors should impede the progress of Reform. I am one of those who think that the jurisdiction of Parliament ought to be trusted and relied upon. Most undoubtedly, no one can witness, with any degree of satisfaction, the examination of witnesses at the Bar of this House, on occasions of such a nature; but still, I think, that such a proceeding is not without an indirect effect upon the public mind and morals. I am not of opinion, that an easy mode of obtaining divorce would be attended with much advantage, nor am I that great admirer of the Scotch system, in this respect, that some hon. Members profess to be. I very much doubt, indeed, that it would be at all for the public benefit that Local Courts should have the jurisdiction of granting divorce *a mensa et thoro*. Such facilities would not be unlikely to lead to much collusion, particularly where females were concerned. The greatest confidence should exist in any tribunal possessing a jurisdiction of this nature, and too much care cannot be taken in the establishment of such a Court. I should be doing great injustice to Sir John Nicholl, and Sir Herbert Jenner, if I did not take this occasion to acknowledge the prompt, willing, and efficient assistance I derived from those learned and distinguished civilians, as members of the Commission, voluntarily tendered immediately on my return from abroad, and my appointment to office. Am I not, then, justified in saying, that where effectual Reform is seen to be necessary, there is no indisposition, in the highest authorities of the country, to give them both assistance towards so desirable an end. I entirely agree, and soon did agree, with those who feel that there never can be a perfect system of law Reform established, until all judicial sinecures shall have been destroyed. In any measure intended to be effective, provision must be made to abolish judicial sinecures. I, myself, introduced a Bill to destroy those abuses, and I believe with no little success and benefit; but, if any still remain uncorrected, I will give my support to any Bill, the object of which may be to render as pure as possible everything connected with the administration of justice.

Mr. *Hume* had not intended to trouble the House on this Question, but the right hon. Baronet's personal allusion to him, rendered it necessary that he should say a few words. The right hon. Baronet had asked him, whether the introduction of this Bill, was one of the reasons which had induced him (Mr. Hume) to alter the course which he had originally intended to pursue, with respect to the Supplies? His answer was, that in changing that intention, the measure under consideration, never, for a moment, entered into his contemplation. It would seem that the right hon. Baronet assumed great merit for the introduction of this Bill, and that he wished it to be considered as a guarantee of the intentions of his Majesty's present Government, on the subject of Reform. The fact was, that the right hon. Gentleman had crept into the nest of the late Administration, and was then hatching the eggs which his predecessors had laid; and now, forsooth, he was taking great credit for the incubation.

The *Chancellor of the Exchequer*, in

answer to the question just put to him, by the hon. Member for Middlesex, said that it was the intention of his Majesty's Government to introduce a Bill for facilitating the local administration of justice. [Mr. *Hume* said, his question had reference to County Courts.] What was the difference? Were not County Courts a local administration of justice? The Bill which he had stated it was the intention of his Majesty's Government to introduce, was for facilitating the local administration of justice; and the hon. Member would have an opportunity, on its introduction, of expressing his opinion as to the best mode of securing that object. While on his legs, he must beg to observe, that the hon. Gentleman entirely mistook some of the observations which had fallen from him. He (the Chancellor of the Exchequer) had not denied that the late Government were prepared to bring in a measure similar to the present; he had merely stated what was the fact, namely, that the Commission, upon the report of which the measure was founded, had been instituted by the Duke of Wellington's Administration. There was no merit in merely drawing the Bill; for it was drawn from the suggestions contained in the Report made by the hon. and learned Gentleman opposite, and the other Members of the Commission. So far from having shown any want of candour, on the occasion, he had given the merit to those to whom it was due. The hon. Member for Middlesex had been wonderfully learned, and curiously facetious upon the subject of incubation. The hon. Gentleman had recently had some practical experience of the throes of labour and the anxious cares and doubtful results, of the process to which he had alluded. The hon. Member had laid an egg, which he could neither hatch himself, nor get anybody else to hatch for him. What was to become of this redoubted egg? It had been, after an appropriate prelude, laid a week since; there was, then, a grave doubt as to whether it was to be hatched by the hon. Gentleman or some other hen; but, after all this patient agony of incubation, it appeared that neither the hon. Member for Middlesex, nor any other biped, feathered or unfeathered, could bring this egg to maturity. He had found an excuse for the hon. Gentleman for deserting his nest, in the earnest of Reform measures, which had been given by the Government, but he (Mr. Hume), instead of receiving it as a courteous assistance, had accused him of creeping into the nest of the late Ministry.

Mr. *O'Connell* observed, that the right hon. Baronet should not count his own chickens before they were hatched; for he would probably find the chicken of his hon. friend, the Member for Middlesex, a good fighting-cock yet; but the proper time to crow was when the victory was gained. To come back, in sober sadness, to the question before the House; any one would have supposed that the discussion of such a subject might have been kept free from all party feelings. There had been no indication of such feelings on his side of the House; in his opinion there ought not to have been any on the other side of the House. It was quite evident, that but for the dissolution of the late Ministry, they would have brought forward this identical measure. The assumption of any merit, therefore, on the part of the present Government was an empty and unfounded boast. They stepped into other men's shoes, and then strutted proudly about as if the shoes actually belonged to them. He was glad to hear that so many eminent men, so many Bishops and Judges concurred in forwarding this Bill. But what must their predecessors have been who allowed all these abuses, all these sinecure duties to go on without remonstrance or interference. He willingly admitted that the Bill, as far as it went, would effect a salutary Reform. It would lop off some of the branches of corruption, but it would still leave the trunk standing; and he must say, that he thought his hon. and learned Friends on both sides of the House were wrong in not going further. Why have any Ecclesiastical Courts at all? This wisest of all possible countries had three descriptions of administration of justice—the Common Law, the Equitable, and the Ecclesiastical. The simplicity of legal proceedings would, in his opinion, be best consulted by a simplicity of courts. Why should it be necessary, first to prove a will in an Ecclesiastical Court, and then to carry its provisions into effect in a Court of Law, or a Court of Equity? Would it not be much better, instead of these three courts, to have only one? With reference to divorce cases, he had no hesitation in saying, that in his opinion marriages ought to be indissoluble. But if allowed to be dissolved at all, nothing certainly could be more unjust than the present system, by which the rich man alone was enabled to procure a divorce, because the rich man alone had the means of applying to Parliament for it. In fact, there was one law for the rich and another law for the poor. The right hon. Baronet seemed to think that there were too great facilities both for marriage and for divorce in Scotland. There was no reason, however, to believe, that on that account there was more immorality in Scotland than in this country. The right hon. Baronet also did not seem to be aware of the difference between local courts and the local administration of justice. Now, although there were no local courts at present, yet the assizes produced a local administration of justice. The distinction, therefore, was obvious. In Scotland there were local courts and local judges, and so there were, to a certain extent, in Ireland; but not so in England. He confessed that he was not for too much centralization; and he had thought it one of the defects of the Registration Bill that it was not local in its character, but central. He was convinced that immense advantages would result from the establishment of local courts in England. It had been objected to them that it would not be practicable to provide a succession of judges sufficiently qualified. It was practicable in Scotland, and why should it not be so in this country? He certainly approved of this Bill; but he begged to observe, that three of the most important Bills, connected with law reform, had been left to be introduced by the late Attorney-General.

Mr. *Scarlett* observed, with reference to what had fallen from the hon. and learned Member for Dublin, that he had always understood it as one of the most happy circumstances in the administration of justice in this country, that the local was united with the central administration. He was of opinion that the ministerial parts of the administration of the Ecclesiastical Law, the granting of probates and the registering of wills, should be left in the country; but he was by no means prepared to say that the judicial administration of that law might not be advantageously transferred to London.

Colonel *Jones Parry* expressed his entire concurrence in the applause which had been bestowed by so many hon. Gentlemen on either side of the House upon the admirable measure of Reform which had that night been brought forward by his Majesty's Government. He was greatly gratified to hear the right hon. Baronet state the readiness which all the high authorities, ecclesiastical and judicial, had evinced in forwarding rational and well-considered reform; and he had only, as an individual, to add, that he was willing, both upon his own part and that of a near relative of his, to give up any lay patronage they might happen to possess for the benefit, and to aid in the promotion, of true religion.

Leave was given to bring in the Bill.

DISCIPLINE OF THE CLERGY.] The *Attorney-General* moved for leave to bring in the other Bill, of which he had given notice. Its object was to improve the maintenance of the Discipline of the Church of England. The inconvenience of the Ecclesiastical Courts continuing to exercise their present jurisdiction had been clearly pointed out, and the case of Dr. Coote had been cited as a striking example of delay, expense, and inefficacy. For the purpose of procuring an effectual administration of justice, it was proposed that a Bishop should preside in each Court, but that he should always be assisted by a legal assessor. There should be a due investigation of each complaint, which should be followed by a speedy execution of any sentence which the Court might think fit to pronounce. He thought it unnecessary to go into further details upon this subject. He had already stated to the House that the Report upon which the Bill was founded proceeded from a Commission, issued in January, 1830, which was renewed upon the demise of the Crown, in July of the same year. That Commission continued to sit, and it made its Report in February, 1832. He neither blamed the Government nor any Member of the Commission for not immediately bringing forward the measures that had been since founded upon the Report; but it was the fact, that the whole of the Sessions of 1832, 1833, and 1834, passed away without one measure being produced founded upon the last Report. It was not of so much importance from what side of the House any measure proceeded, as it was of importance that it should be well considered and speedily brought forward. He was anxious to put the House in possession of the facts relative to the origin and preparation of this Bill, so that praise might fall in the proper quarter. First, he must acknowledge that the Duke of Wellington's Government were entitled to praise for having originated and appointed the Commission, the Report of which was the basis of the measure. Next, the Commissioners themselves were entitled to the highest degree of praise for the admirable manner in which they had discharged their functions; and lastly, to the late Government for having prepared the Bill and put it into form. But, at the same time, he must claim for himself and the present Government the praise which was merited by them on account of the readiness with which they had at once brought forward this and the other Bill at such an early period of the Session as would enable them to get it passed this year; and even in this respect he should be contented with the bare acknowledgment, that the Government had shown a disposition to place no obstacle in the way of measures, the necessity for which had been affirmed by large portions of former Parliaments, and by the general voice of the community.

Sir *John Campbell* was sure that his hon. and learned Friend would not claim any praise in this matter, or in anything else which did not belong to him. His hon. and learned Friend had stated that the Bill had been prepared, and was ready, under the late Administration. That Bill was ready, and might have been introduced in the last Session; but it would be in the recollection of many hon. Members, that last Session he was taunted by the right hon. Baronet for having brought in his Bill for the abolition of imprisonment for debt at a time when the House had so many other important matters before it. If, then, he had brought forward the measure which had been prepared on this subject, he should have heard still stronger objections against lading the Table with business which there was no prospect of carrying through. If the late Government and the late Parliament had not been dissolved, and if Parliament had been allowed to meet at the usual time, early in February, it was his intention to have taken the earliest opportunity which the Session afforded.

The *Chancellor of the Exchequer* said, that all the credit he desired to claim for the present Government was, that they had thrown no obstacle in the way of this measure, and that they were disposed to adopt those reforms which were rational and well considered.

Mr. *Hume* had not intended to complain of the learned Attorney-General, but of the Chancellor of the Exchequer, who had arrayed himself in borrowed plumage, from which he wished to pluck a few feathers. Nothing ever gave him greater pleasure than to expose those who laid claim to merits not their own; and as the right hon. Baronet's speech certainly did seem to him to lay claim to the merit of others, he hoped he would not be offended at the candour with which he had told him so, and taken him down a peg.

Dr. *Lushington* said, that the reason why the subject was not brought forward in 1833, was, that a Committee, consisting of Sir Christopher Robinson and others, had sat upon the Admiralty Courts, and incidentally the subject of probates was gone into. That Committee sat till the end of the year. Next came the preparation of the Bill, which, he could assure the right hon. Baronet, was not so easy a matter as he appeared to think; and one gentleman who had undertaken the task gave it up in despair. It was, however, ready by the commencement of the last Session, and Lord Althorp pressed him (Dr. Lushington) to bring it forward; but he had said, that, although it would sound very well to lay the Bill upon the Table, yet that with a measure for the commutation of English tithes, another for the commutation of Irish tithes, besides the Church-rate Bill, it would be impossible to get through with it in a proper manner. If, therefore, blame existed any where from the Bill not having been brought forward last year, it rested with him.

The *Chancellor of the Exchequer* said, that the name of the late First Lord of the Admiralty, the Member for Cumberland, had not been mentioned; but it was right the public should know, that, of all the non-lawyers who devoted their time and attention to this subject, the right hon. Gentleman stood pre-eminent.

Leave was given to bring in the Bill.

EDUCATION (IRELAND).] Mr. *Andrew Johnson* rose to move for returns respecting National Education (Ireland), in pursuance of an order of the 13th May, 1834; and in addition, a list of all such books as are distributed or used under the direction of the Board, with the full titles thereof; and a list of the schools in which the whole or any of such books are used as class-books; also returns of the number of Roman Catholic children, of children of the Church of England and Ireland, and of Protestant children of other denominations in each of the schools under the superintendence of the Board; and that the Commissioners state the amount and particulars of any grants made by them to schools connected with or under the superintendence of any nunnery, monastery, or other religious institutions or houses; and also of any grants to schools kept in Roman Catholic chapels, or buildings forming part thereof, or contiguous thereto, or within the precincts of the said chapels, with the places where such schools are situated. He understood that some objection was entertained against the use of the expression Roman Catholic in this Motion. It was not his wish to disparage any religious persuasion. Some peculiar term, however, must be used to designate each. No objection was made in Scotland to the use of the word Presbyterian, and he never could see any objection to the use of the terms Roman Catholic or Papist. If he heard any reasonable objection to the use of these words in the return he should not employ them.

Mr. *Barron* said, he objected to the making of any such distinction, because it was contrary to the principle upon which the system of National Education introduced by the late Government had been founded. That principle was, to draw no distinction between the children on the ground of religion. In the part of Ireland with which he was most nearly connected the greatest benefits had arisen from acting upon this principle. The parents of children of different religious persuasions were thus brought together, as well as their children, and mutual friendship, forbearance, and kindness was the result. In his parish the system was found to work so well that out of the fifteen heads of Protestant families who resided there fourteen of them made application for a grant towards the erection of another school. He would be very glad to see such a spirit extending further north, and children brought up in feelings of true Christian charity and benevolence one towards the other.

Mr. *Henry Maxwell* said, without the return for which his hon. Friend had moved it would be quite impossible to ascertain the number of Roman Catholics and Protestants attending each school. In his part of the country the schools were so situated that Protestant children could not attend them, because they stood either within the chapel-yard or very near to it. The schools under the Kildare-street society were quite deserted through the influence of the priests; and the new schools being in some cases within the chapel-yard, and in others very near it, the Protestant children could not attend them.

Mr. *Spring Rice* said, he saw no objection to the return. He should most sincerely rejoice if the system of education, proposed with the best intentions, should prove successful. He was anxious that the fullest information as to the working of the system should be communicated, and was glad that the attention of the Member for St. Andrew's had been called to the subject. He had no doubt the system would upon inquiry recommend itself, as it had already in some instances, to its former antagonists. He did not wish to see religious distinctions drawn upon this or upon any other occasion, but as they had similar returns before there could be no objection to them now. As there was a separation between the children in religious instruction it would be easy to make out a return of the Catholic and Protestant children. He should be better pleased if the schools were not situated within churches or chapels, or near to either, but on some neutral ground. The mere location ought to present no difficulty. It would be better to abstain from discussion till such time as they had full information. The result of inquiry would show whether or not the tendency of the plan was to throw the whole education fund into the hands of one party. The subject had been at one time converted into an arena for the exhibition of party animosity, but he trusted that time had gone by. No exhibition upon any theatre would be near so interesting to him as to see all parties co-operating and going forward together with the good work.

Sir *Robert Bateson* concurred in many of the observations that had been made by his right hon. Friend. In one part of his speech, however, he could not see whether he was speaking in irony or in seriousness. He agreed with his right hon. Friend that they ought to lay aside all party feelings, but there was in his speech something of taunt and irony, as if he was assuming a triumph, to which he did not consider his right hon. Friend at all entitled. He did not oppose it in a spirit of party, and one of his objections to it was, that it had a tendency to make distinctions of religion in schools. The hon. Member opposite (Mr. Barron) by his allusion to the north, seemed to imply a censure on the conduct of the Kildare-street Society. Now certainly the object of that society was not the exclusion of any sect from their schools, but to bring them together as much as possible. If the present system worked so well, what objection could there be for answering any question? Why object to any? In the north of Ireland these schools most certainly did not meet with the approbation of the great mass of the people. It was said they were to be without any distinction of sects. This was not so, for Protestant parents would not send their children to these schools. His right hon. Friend said, he was happy to see so many converts to this new principle. For his part he was not one of them. His objections to it now were as strong as they were before.

Mr. *Ruthven* hoped that nothing would be said or done to occasion acrimonious debates upon this subject. The object sought for by the return might be easily obtained in another way without trouble or expense. The hon. Member did not seem himself to understand the nature of his Motion, or the effect it might produce on the feelings of the Irish people.

Mr. *Finch* said, that the returns had been granted in another place, therefore there could be no additional expense or trouble to have them laid on the Table of that House. With respect to the increase in the amount of the grant of the present year, it did not originate with the present Ministry, but it was to cover an increased expense incurred under the late Administration. Though he was prepared to give credit to the right hon. Gentleman (Mr. Rice) and to his party, he begged to say that the present Ministry could not be charged with inconsistency on account of the course they meant to pursue. If the present system worked well let it be perpetuated; but he hoped that an end would be put to the practice of disseminating sinister reports.

The returns were ordered.

HOUSE OF LORDS,
Friday, March 13, 1835.

MINUTES.] Bill. Read a second time:—The Oaths' Abolition.

Petitions presented. By the Duke of GORDON, from the Presbytery of Forfar and other Places, for additional Accommodation for the Established Church of Scotland.—By Earl FITZWILLIAM, from Pudsey, for an Alteration in the Factory Act.—By Viscount MELBOURNE, from the Handloom Weavers of Renfrew, complaining of Distress.—By the Duke of RICHMOND, from Wrotham, and other Places in Kent, for the Repeal of the Malt Tax. and for the Abolition of Tithes.

CHESTER—EXECUTION OF CRIMINALS.] On the Motion, that the Chester Criminal's Execution Bill be read a third time,

The Marquess of *Westminster* said, he had a few observations to make on this subject. He thought it was a hardship on the city of Chester to be obliged to execute all the criminals of the county at large. The expense thus entailed on the city, though not in itself very large, was objectionable, as the corporation of the city was not by any means a rich corporation. If the execution of the criminals, and the attendance on the Judges devolved, as they ought, on the Sheriffs of the county, the expense would be paid by the public out of the "Sheriffs' Cravings," but that would not be the case now the whole burthen was thrown on the city. He trusted, that the noble and learned Lord on the Woolsack would reconsider this Bill, and frame a clause, obviating the objection to which he had referred. He trusted, that for this purpose, the Bill would be allowed to stand over till Monday.

The *Lord Chancellor* was not aware of any objection of the sort urged by the noble Marquess. No new charge would be thrown by the Bill upon the city of Chester. The charge would be precisely the same as it always had hitherto borne. The city bore it at the time the Act was passed, under which the recent doubts had arisen, and the Bill only went to restore things to their former state. It seemed to him that there was no ground made out for the postponement of this measure. The assizes at Chester were about to commence, and the provisions of this Bill might become absolutely necessary.

The Bill was read a third time.

ECCLESIASTICAL COURTS—DISCIPLINE OF THE CLERGY.] Lord *Brougham* said, that on looking into the Orders of the Day of the House of Commons, the only acknowledged and authorised means of his becoming acquainted with what had taken place in the other House of Parliament, he saw that Bills had been brought into that House by the Attorney General, for the improvement of the administration of Justice in the Ecclesiastical Courts, and also for the better maintenance of the discipline of the clergy of the Established Church. He was not about to recommend their Lordships to entertain the smallest possible degree of jealousy on account of these proceedings in the other House of Parliament. On the contrary, he was well pleased with them; and he hoped that the House of Commons would send up to their Lordships' House an amended measure, in which their Lordships might possibly all concur, or at least one on which, in its principle and its general details, might well recommend itself to their Lordships' favourable attention. It was fit, however, for the sake of himself, and of his colleagues of the late Administration, that he should say, they had not waited till now before they brought in a measure of the sort. They had had the report of a commission, a most learned commission, composed of men learned in both branches of the law, *docti utrius juris,* who had investigated the whole of this intricate subject, and who had prepared a report, which, he would venture to say, for learning, soundness of views, and general excellence, had never been surpassed by the report of any commission whatever. He did not now panegyrise it for the first time, for he found, by reference to the sort of records they were in the ordinary habit of consulting on these matters, that on the 12th of July, 1833, he had expressed the same opinion, in nearly the same words. He was glad to find from what had occurred, as he had learned, in another place last night, that his own opinion was amply confirmed by that of other persons. In consequence of the Report of the Ecclesiastical Courts' Commissioners, drawn up chiefly by an hon. and learned Friend of his, now a Judge in one of the Ecclesiastical Courts, (Dr. Lushington), but in which the rest of the Commissioners fully concurred, he had deemed it his duty to cause Bills to be prepared to carry into effect the greater part of the recommendations of those Commissioners, and it had been his intention to divide the reforms he intended to introduce into six Bills, for the same persons might not agree to all the recommendations, and he did not wish to have any one lost because another was objected to. Some objection was afterwards made to this course, and after the six Bills had been prepared, he, on the recommendation of the Commissioners themselves, to whom he felt bound in some things to defer, had consolidated the six Bills into one Bill, which he had brought into their Lordships' House on the 12th of July, 1833, when it was read a first time, and ordered to be printed. It was entitled in nearly the same words used to entitle the Bills that had last night been brought into the House of Commons. The measure was described as a Bill to consolidate the several Ecclesiastical Jurisdictions in England and Wales (the Bill of last night was described as a Bill to consolidate the Jurisdictions of the several Ecclesiastical Courts in England—not naming Wales—but he supposed that Wales was not to be omitted), and to enlarge the powers and authorities of such Jurisdictions, and to amend the law relating to matters Ecclesiastical. The other was a Bill for the better maintenance of the discipline of the clergy of the Church of England. The Bill which he now held in his hand (the first of those mentioned as introduced in 1833), addressed itself to some other points, and he purposely avoided pressing it when he introduced it, as it was his wish at that time that it should stand over for further consideration. And there were, in the circumstances that then existed, ample reasons why so important a Bill should not be pressed at that moment, for there were then under the consideration of this House of Parliament, the Bill for opening the East India Trade, the Bill for reforming the Scotch Burghs, giving, in fact, a new constitution to Scotland; a Bill respecting the Irish Church, and three or four important Law Bills. He thought, therefore, that they had quite enough to do during the few weeks between the 12th of July, and the 29th of August, when Parliament was prorogued; and, therefore, on account of the importance of the Bill itself, and of the other Bills then before their Lordships, he had held it fit to recommend, that this particular Bill should be printed, and stand over for future consideration. Before the discussion of the subject could be brought on, he had warned their Lordships, that there was one point or two, but one particularly, on which he had doubts respecting what the Commissioners had proposed. On this one, (the others respected wills, and also pews and faculties) there had been a strong recommendation of the Commissioners, and he had the misfortune to differ from them, and that was with respect to the law relating to the Church-rates. He did not mean to say, that the law on that subject ought not to be changed, but that the change which they recommended, was not that which ought to be made. In deference, however, to their opinion, he had inserted the matter in the Bill. In the course of the last Session, the opinion and assistance of a very learned person, lately the King's Advocate, now a judge of one of the Ecclesiastical Courts, who had himself been one of the Ecclesiastical Commissioners (Sir Herbert Jenner), had been asked, and the new Bill, afterwards prepared, had omitted the clause relating to Church-rates, and another clause, relating to Wills, had also been reconsidered and re-modelled. The clause relating to Wills of real and personal estate had been directed to be framed anew, and the Bill thus altered was to be presented to Parliament during the present Session. Another Bill of a similar sort had now been introduced in the other House of Parliament, but as this House had already gone at some length into the Bill which he had himself proposed in 1833, and as their Lordships could not know, and, indeed, could not anticipate the fate of the Bill in the other House, he should again present his Bill to them, but should not press it forward until he saw whether the Bill in the other House was likely to come to them at all, or, if so, was likely to come in such a way as to be likely to secure their concurrence. In this Bill which he now presented, he had omitted the clause relating to Wills of real and personal estate. The reason was not that it was not an important matter, but because it was likely to be provided for by a distinct and separate measure. From the time of Lord Hardwicke almost, but certainly from that of Lord Loughborough, there had been great differences of opinion as to the propriety of the distinctions established in the execution of Wills of real or of personal estate. By the law as it now stood, personal estate to the amount of one million might be made the subject of a Will not attested by any one, but an acre of ground could not be devised without being attested by three witnesses. His proposition was to apply the statute of frauds to bequests of personal as well as to devises of real estate, but in a manner different from the present, so that in each case there should be two witnesses to the Will. That was not the only matter. The other Bill, which he meant to lay on their Lordships' Table, addressed itself to the same point as one of the Bills lately brought in by his hon. and learned Friend the Member for Edinburgh, but that Bill did not profess to be on the recommendation of the Ecclesiastical Commissioners.—There had been a conflict of opinion between the Ecclesiastical and the Real Property Commissioners. The hon. and learned Member for Edinburgh was a member of the latter, and his Bill proceeded on the recommendation of the Commission to which he had belonged. He should, therefore, wait to see that Bill when it came up to this House, before doing anything, but in the meantime he should introduce his own Bills—into which, though originating, as he had said, in the recommendations of the Ecclesiastical Commissioners, with some of whose opinions he had an irreconcileable difference. He had introduced some suggestions and improvements.

The *Lord Chancellor* said, that the Ecclesiastical Commission had been issued in the time of the Government of the Duke of Wellington. He agreed with the noble and learned Lord as to the merits of the individuals who composed that Commission, and, as to the merits of their Report.—That Report had been presented three years ago. It was laid on the Table, but was not printed—at least he had inquired for a copy of it, and could not procure one. The matter slumbered till the change of Administration, when the Bills introduced last night into the House of Commons were prepared. He had reason to believe that the Bills which had been at first prepared had undergone some material improvement.—The first Bill had been submitted to Sir Herbert Jenner and to Sir J. Nicholl, and the measure thus revised appeared to him a good measure. The course he had pursued seemed to him the most correct and proper. He had written to the late Attorney-General, asking him, whether he intended to proceed with the Bills, and had received for answer that that hon. and learned Gentleman considered the Bills to belong to the Government. Upon receiving that answer he (the Lord Chancellor) had a consultation with Sir Herbert Jenner and Sir J. Nicholl, and it was then agreed, that the matter should not form one Measure, but should be divided into two or three Bills. The noble and learned Lord had said that the Real Property Commissioners differed from the Ecclesiastical Court's Commissioners, and had expressed his preference to the conclusions come to by the former. In that preference he (the Lord Chancellor) perfectly concurred. But as the Bill with respect to the Execution of Wills was introduced into the other House of Parliament, he thought it proper that the Bills should be considered together, and therefore he had suggested to his hon. and learned Friend the Attorney-General, that the other Bills should be brought in at the same time, so that all might run their course together, and all the different Measures be considered with relation to each other. If it should turn out that these Bills were not adopted, or came up to their Lordships in a shape to which they could not agree, they might then enter on the consideration of the Bills proposed by the noble and learned Lord. He should not object to these Bills being read a first time.

The Bills were read a first time.

PILOTS AT FOLKSTONE.] Lord *Radnor* begged to call the attention of the noble Duke to a provision contained in the Cinque Ports' Bill, which was thrown out last Session in consequence of the noble Duke's opposition. The provision was for the establishment at Folkstone of permanent stations of Pilotage, and that, the noble Duke asserted, he, as Warden of the Cinque Ports, could carry into execution without an Act of Parliament being necessary. Such an establishment was greatly desired, but that the noble Duke now found that he had no power to carry it into effect. As it appeared, however, that his Majesty's Government intended to issue a Commission for examining into the state of the Pilotage of the United Kingdom, he wished to know whether that Commission would report upon the particular point, whether it would report in time to enable some step to be taken in reference to it this Session, and, if not, whether the noble Duke intended to adopt any measures for effecting the object in question?

The Duke of *Wellington:* The nob Lord has done me the honour to refer to what I said in the debates of the House respecting the Cinque Ports' Bill; but the noble Lord is undoubtedly mistaken in supposing that on that occasion I asserted I could carry into execution the objects of the Bill without resorting to an Act of Parliament. I was perfectly aware that I had no power to carry into execution the clause he alludes to. The clause, I think, enabled the Lord Warden of the Cinque Ports to appoint certain boatmen to reside at Folkstone, and that power, I knew, I did not possess. With respect to the appointment of Pilots to reside at Folkstone, I must tell the noble Lord that it is not in the power of the Legislature, according to the existing system, to oblige the Pilots to reside anywhere. When they are made Pilots, and have received their general warrants as such, they are not to reside at Folkstone or on any other part of the coast, but they are to cruise off Dungeness in certain vessels which, by Act of Parliament, they are required to provide for that purpose. With regard to the Commission appointed to inquire into the state of the Pilotage and the time at which they may be expected to make their report I can only say in reply to the noble Lord, that his Majesty's Government are desirous that the Commission should proceed with the utmost activity, though not without due deliberation, and that the whole matter should be regulated on the truest principle of the public welfare. Should the Commissioners be of opinion that it would be advisable for certain Pilots who are now required, by Acts of Parliament, to cruise off Dungeness to reside at Folkstone I can have no objection to the Legislature making provision accordingly; but, at present, there is no means of compelling them to reside in any particular place.

Subject dropped.

HOUSE OF COMMONS,

Friday, March 13, 1835.

MINUTES.] New Writ issued. A New Writ was issued for Cardiff, in the room of JOHN NICHOLL, Esq., become a Lord of the Treasury.

Bills. Read a first time:—Registration of Voters.—Read a third time:—Newspapers' Regulation.

Petitions presented.—By Mr. JACKSON, from Bandon, in Support of the Established Church, and for the Relief of the Protestant Church in Ireland.—By the Marquess of CHANDOS, from Stoke-Pogis, Buckinghamshire, for Alteration in the Poor-Laws' Amendment Act.—By Sir M. S. STEWART, from Greenock, in favour of the Established Church of Scotland.—By Mr. J. MAXWELL, from 1,700 Handloom Weavers of Glasgow, complaining of Distress.—By Mr. ROEBUCK, from the Proprietor of a Bath Newspaper, praying for an Amendment of the Law of Libel.—By Captain PECHELL, from the Licensed Victuallers of Brighton, complaining of the Additional Duty on Spirit Licences, praying for Relief therefrom, and also for an Alteration in the Law rendering them responsible for the Property of their Visitors.—By Mr. HUME, from the Inhabitants of Leicester, praying the House to limit the Supplies to be granted to the present Ministry to three Months.

On the question that the Order of the Day for the House resolving itself into a Committee of Supply be read,

CHURCH OF IRELAND.] Lord *John Russell:* I wish merely to address a very few words to the right hon. Gentleman opposite, and the House in general. The House is aware that there is a Motion of very great importance relative to the Irish Church, which now stands on the Order-book for the 23rd of March; that Motion has derived particular importance from the very handsome manner in which the hon. Member for St. Alban's (Mr. Ward) has behaved with reference to it, by consenting to leave it entirely in my hands. On giving notice of the Motion originally, I stated my expectation that before the time for which I fixed it, the first Report of the Commission of Public Instruction (Ireland) would be laid on the Table of the House. I beg to ask the right hon. Gentleman opposite, if he can now let me know, or inform me, whether this is likely to be the case, because I have been since informed that there are some doubts whether any Report whatever from those Commissioners, will be laid on the Table of the House by that time. I have no doubt, whatever, that when any Report does arrive, the right hon. Baronet will have no difficulty in laying it immediately on the Table of the House. Now, Sir, with respect to my Motion, I beg to state that I fixed it for a time by which I presumed the Report of the Commissioners would have arrived—not that I felt it necessary for the case I should be enabled to state to the House, but because I thought the House itself would like to be in possession of the information to be gathered from that Report, at the period when the question came under discussion. I beg further to say, that for whatever day I fix that Motion—whether it be 23rd of March, or a few days subsequently—for whatever day I fix that Motion, I propose to move a call of the House. I only wish now to know from the right hon. Gentleman, whether he can afford any information to the House relative to the time at which that Report is likely to be laid before it? and I am desirous of observing, in addition, that I am prepared myself, either to bring the Motion forward on the day I have already named, or fix it for some other day, that may meet the mutual convenience of all parties. I am willing either to bring it forward on the 23rd, or at any other convenient time.

Sir *Henry Hardinge:* If the noble Lord had intimated to me, before I came down to the House to-night, that he intended to put a question to me, as he says, of great importance, I should have made it my business to give him the most accurate information as to the day on which I may expect the Report of the Commissioners of Public Instruction. I have only now to trust to my recollection of a communication made to me about a month ago, when it was stated that the Commissioners intended to make their Report about the end of March, or the beginning of April. I cannot, therefore, expect that the Commissioners will have it in their power to expedite the furnishing of that Report. I can only say, on behalf of the Government, that no interruption or impediment has been thrown in the way of the Commissioners; on the contrary, they have received from us an expression of their readiness to afford them every facility. I must add, that whenever I am better informed of the precise day at which that Report may be expected by his Majesty's Government, the noble Lord shall be immediately informed of the fact.

Lord *John Russell:* With reference to what has just fallen from the right hon. Gentleman, I beg to say that I had reason to believe it was the intention of the Commissioners to make a first Report at an earlier date, than their general one. I have been told, likewise, by one of the Commissioners, that he believed there has not been the slightest intention of delay on the part of Government, but that several of the Commissioners have been unable to prosecute their inquiries, in consequence of the funds necessary for their furtherance, not having been supplied from the Treasury. In saying this, I wish again to express my conviction, that if there have been any delay, it has not originated from any intentional obstruction interposed by Government. I really wish to ascertain the sense of the House upon this question; perhaps I had better wait until Monday, to declare what day I shall fix for making the Motion for a call of the House, which it is my intention to submit. I have only to say further at present, that I intend to move, as an Amendment on the Order of the Day (whenever I bring forward the Motion), that the House resolve itself into a Committee of the whole House on the state of the Irish Church.

The Order of the Day was read.

AMBASSADOR TO RUSSIA.] Mr. *Sheil* rose to move, as an Amendment to the Motion, that the Speaker leave the Chair,

" that an humble address be presented to his Majesty, praying, that he be graciously pleased to order that there be laid before the House a copy of any appointment made within the last four months of an Ambassador from the Court of London to St. Petersburgh, and of the salary and emoluments attached to such embassy. He believed, that with respect to the importance of the relations between Turkey, Russia, and this country (the principal question involved in the Amendment he had just proposed) there could be in that House no question whatever. The illustrious individual, now at the head of Foreign Affairs, was, he believed, as sensible as—if not more so than—any man in the country, of the importance of the questions connected with the proposition he had made to the House. In the year 1826, notwithstanding the extreme inclemency of the season, and although the Duke of Wellington was, as he believed, then labouring under ill-health, he thought it was his duty to the country and the public to proceed to St. Petersburgh with a view to the arrangement of the extremely difficult and complicated questions then pending between Russia, Turkey, and this country. The events which succeeded the negotiations into which the Duke of Wellington entered, certainly could not be considered as being of a fortunate description. Before the year had elapsed, Russia declared war against Persia, and in the month of February, 1828, the latter power was reduced to the necessity of entering into an ignominious peace, of which one condition was, that she should pay twenty millions of roubles to the Emperor of Russia; another, that she should concede two very important provinces on her frontier. Scarcely had the war with Persia terminated, before Russia directed her arms against Turkey, and upon the 23rd of April, 1828, that celebrated war began. It was much to be regretted, that the Duke of Wellington, at that time in office, did not see the importance of at once furnishing Turkey with assistance. True, the battle of Navarino had taken place; but notwithstanding that circumstance, the resources of Turkey were by no means exhausted, and at the conclusion of the campaign of 1828, in the judgment of military men, Russia had received a check; she had taken an unimportant frontier, but her troops were compelled to retire from before Shumla. The English Government, however, instead of interfering at that most important and most favourable juncture, omitted—and the omission was unexampled in the history of nations—to interfere, at least so far as concerned the blockade of the Dardanelles; and while Constantinople was deprived of provision, it was no exaggeration to say, that the British flag sustained some disgrace. At the commencement of the year 1829, Russia poured in her forces upon Turkey; the events which then took place, were too notorious even for recapitulatory reference. The Treaty of Adrianople, dated in September, 1829, was then signed; and it was with justice, that in the House of Lords, in the month of February, 1834, Lord Grey, on being taxed by the Duke of Wellington with relinquishing the interests of Turkey, replied, that to the Treaty of Adrianople much of the mischief that had since ensued was to be referred; for, that by the existence of that Treaty, Turkey was in some measure laid prostrate before the feet of her antagonist. He was one of those who thought, that the late Ministry, in their conduct with reference to Turkey, had committed great and almost irreparable errors. He thought it was a mistake, not to have stopped the progress of Ibrahim Pacha; he thought it was a mistake, to allow 20,000 Russian troops to land on the Asiatic side of the Bosphorus. On the 8th of July, 1833, the Treaty of Constantinople was signed; it was followed by the Treaty of St. Petersburgh, in January, 1834. By that Treaty, not only were large privileges given to Russia, with reference to the Dardanelles, but the passage was almost closed against the English. He had taken upon himself to bring the matter before the House in the last Session of the short-lived Parliament, and the right hon. Baronet then stated, that although he did not agree with him in his construction of that Treaty, he feared the interests of England were affected: and he added, that a negotiation had been opened between Russia, Turkey, and this country. Beyond all doubt, taking the three articles of that Treaty together, Russia had gained a new treaty of alliance, offensive and defensive; it followed from thence, that if Russia went to war with England, Turkey must of necessity do the same; and not only were the Dardanelles closed against vessels of war, but against merchant vessels. He adverted to these circumstances, for the purpose of showing the importance of the relations, that now existed between the kingdoms. Here, in the case of Turkey again, they found Russia, as on the frontiers of Persia, with a large army, only waiting for a pretence of invasion. He need hardly remind the House of the manifest influence Russia possessed in every Cabinet, or of the mode in which it was exercised—a mode tending to counteract the great principles which every Englishman in that House was bound to maintain. It therefore seemed manifest that the appointment of an ambassador to St. Petersburgh was not an unimportant question, and the question at once arose, when Lord Heytesbury was removed in August 1832, and, in October 1832, Sir Stratford Canning was appointed, what was the reason why Sir Stratford Canning never proceeded to the court of St. Petersburgh? The question was brought by Lord Londonderry, before the House of Lords. That noble Lord gave notice, that on the Monday succeeding that day on which the notice was given, he would bring the matter forward. The matter, however, never was brought forward, nor had there been any satisfactory explanation of the reasons why an Ambassador did not then proceed, and had not yet proceeded, to the Court of St. Petersburgh. No objection, as far as he could exercise his humble judgment, could reasonably be entertained to the appointment of an Ambassador. A question next arose, as to the character of the individual who, under circumstances so peculiar, ought to be appointed. It was clear, that he ought to be wise, sagacious, firm, discreet; that he ought to be firmly and inflexibly attached to those principles to which the great mass of the people of this country were devoted; that he should be qualified to protect the commercial interests of the country; that he should represent, in his own calm dignity, the honour of his country; and, perhaps, let him add, in favour of neglected and unfortunate Poland; the English Ambassador ought to raise the voice of healing remonstrance. Whether such a person had been appointed or not, it was for his Majesty's Ministers to state. Rumours had been spread abroad concerning the appointment of an individual of very high rank in this country, respecting whom he for one would not concur with any of those who had spoken of him as an individual, in language of disrespect. The first notice he remembered to have seen of the appointment of that Nobleman, was in *The Times* newspaper of the 2nd of January in the present year. The words were these:—"We notice, merely to discountenance, an absurd report, that Lord Londonderry has been, or is to be, named Ambassador to St. Petersburgh. The rumour is a sorry joke." On the succeeding day *The Times* newspaper said—"The *Courier*, in allusion to our yesterday's notice of the rumour, still to us incredible, that Lord Londonderry had been named Ambassador to St. Petersburgh, affirms that the nomination has really taken place, and that the gallant Marquess is engaged in preparing for his departure." The paragraph proceeded with some observations on the appointment, which might be very justifiable on the part of the editor of that newspaper, but which he for one did not think it necessary to repeat. It was not to rumours, however—it was not to newspapers—it was not to reports that might possibly be scandalous, and that were put into spurious circulation in the *salons* of this country, that he alluded. He would take the estimate of the Nobleman to whom he alluded, from a debate in the House of Lords; not, he would say, courted, but studiously avoided. In the Month of June, 1827, Lord Londonderry made a Motion in the House of Lords respecting the expenses of the Foreign Office; and with the manliness, which was unquestionably one of the characteristics of his temper, declared that, instead of wishing himself to shrink from investigation, he was anxious that every circumstance connected with his diplomatic services, should be distinctly and clearly made known. On that occasion, the noble Lord adverted, he (Mr. Sheil) would not say with intrepidity, for it required no courage, but with a disdain of all consequences, to the application made by himself to Lord Liverpool, respecting a pension to which he conceived himself to be entitled. The language used by Lord Liverpool in reference to that application had now become matter of history. On the 26th of June, 1827, Lord Londonderry made the motion which he had before mentioned; and in the course of his speech expressed himself as follows:—"The next return was that of the pensions to Foreign Ministers, on which there was an increase of about 5,000*l.* With regard to this return he must state a case with respect to himself, which, under any other circumstances, he should have been unwilling to mention; but he must distinctly say, that he had been personally injured with respect to this particular return of the Foreign Office. The right hon. Secretary had unnecessarily or wantonly brought forward charges against him which he felt himself bound to repel and deny. For that purpose he had entered into a correspondence with the noble Lord opposite; and if the noble Lord chose to give that correspondence to the public, or to disclose it in any other shape, he should have no objection to it, and by that correspondence he would be judged." Lord Dudley and Ward, then Secretary of State for Foreign Affairs, having been thus called on to give an explanation, after some preliminary observations, said—" another topic to which the noble Marquess had adverted, and challenged him to lay the particulars before the House, he must also mention. He had understood the noble Marquess to say, he had been calumniated and injured by the returns from the Foreign Office. He had alluded to a correspondence which had taken place on the subject of a pension to which he conceived he was entitled for his diplomatic services; and had said, that if he (Lord Dudley) would lay the papers before the House and the public, he would be judged by them. He must decline adopting that course, but the history of the transaction he would briefly state. The noble Marquess made an application on this subject, by letter, to the Under Secretary of State—a gentleman who had long filled that office, Mr. Planta—stating the grounds which, in his own opinion, entitled him to a pension. The letter thus written was, of course, handed to the Secretary for Foreign Affairs, who, not wishing to take upon himself the responsibility of deciding upon such an application, or of setting a value on the services of the noble Marquess transmitted to Lord Liverpool, then the First Lord of the Treasury. If he mistook not, the application was renewed; and then it was that Lord Liverpool shortly after returned the letter to the Foreign Office, in which he had made the remark in pencil, which had been communicated to the public through the medium of a newspaper. On the noble Marquess's application, Lord Liverpool had written, in pencil, the words 'this is too bad,' and he had seen them himself. There was no breach of confidence in stating this; he had no motive in so doing; but when he was told that the noble Marquess had been calumniated by the returns from the Foreign Office, he could not allow noble Lords to go away under the impression that something very unjust had been done to the noble Marquess." Lord Dudley and Ward then went on to say, that " he believed the noble Marquess had been in the public service about ten years, and for his services in that period he had received of the public money 160,000*l.*"* Lord Londonderry, in replying to that statement, did not contradict the allegation as to his application for a pension; but he contended, that he had a right to it, and on that ground he took his stand. The noble Lord afterwards read two letters signed by himself, of which one was as follows.

" Holderness House, May 14, 1827.

" My dear Lord—Having just read in *The Times* newspaper of to-day a libel upon my character, in which it is stated, that upon an application of mine for a pension, out of the prescribed form, Lord Liverpool had himself endorsed these words—' this is too bad,' I feel persuaded that you will inform me whether, in your opinion, it be possible that, accidentally or otherwise, the office over which you preside can have been accessary to such a statement. If the fact be true, it will show that confidential or official documents are communicated for indirect purposes of personal attack, not where they can be met and answered but by throwing them into anonymous channels. Whatever may be the character given of my proceedings in Parliament, I disclaim anything but being direct and open against public men and public measures, and I despise any other mode too much to have recourse to it. I request, therefore, before I take any further steps, that you will have the goodness to favour me with an answer to the query I have made, and that you will forward me, as soon as possible, copies of all the correspondence relating to my application for the pension, together with Mr. Canning's letter as to my services on my resignation of the Vienna Embassy.

(Signed) " Vane Londonderry."

And the noble Marquess added, " the answer of the noble Lord opposite was a complete denial; and he, consequently, thought the thing at an end. In eight or ten days after, however, he received a letter from the noble Lord, saying that since his former letter, he had discovered that the pencil-mark alluded to, did actually exist.†

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* Hansard's Debates, Vol. xvii., new series, pages 1401-1405.

† Ibid. p. 1407.

He now stated nothing but facts, which were notorious to every man in the country, and any comment of his was entirely unnecessary. He was conscious of the services of the Marquess of Londonderry, but he must be pardoned if he suggested to the right hon. Baronet, that though the noble Marquess might be an orator at Hilsborough, in the county of Down, he was neither qualified nor capable of being the Ambassador of this country to the Court of St. Petersburgh.

Mr. *Cutlar Fergusson*, in rising to second the Motion, did not intend to make any objection to the reported appointment of Lord Londonderry of a personal nature; his objection to that appointment was founded on public grounds,—on the admitted and declared sentiments of the noble Lord on one important point connected with our relations with Russia. He believed that this country was under obligations to maintain the independence and nationality of Poland, which had been destroyed by Russia; and he, for one, would never cease to protest against the infraction of the Treaty of Vienna, by which the independence of Poland was guaranteed. He put it to the noble Lord opposite, the Under Secretary for Foreign Affairs (Lord Mahon), to state the exact situation in which that great question stood. He took it that Poland had not lost a single right which she had, under her constitution, sworn to by the Monarch, by whom it was infringed; nor were the claims which that unfortunate country had on the Powers who guaranteed her constitution less strong than ever they were. He trusted that the attention of the new Government would be directed to this subject. He had had the honour of bringing that Question before the House at three different periods; and, on the last occasion, he went the length of taking the sense of the House on a Motion, declaring that this country could not acknowledge the present state of Poland, involving, as it did, a violation of the Treaty of Vienna, to which this country was a party. That Motion was assented to by the late Government in principle:—they admitted that the Treaty of Vienna had been violated; but they said, that they had remonstrated against the breach of that treaty, and that they had done no act by which the present state of things was acknowledged. He had, therefore, hoped that the present Government, acting in this particular in conformity with the policy of the late Government, would not have appointed to the high and important situation of Ambassador to Russia, an individual who had rendered himself justly objectionable by his public declarations with regard to Poland. He was sorry to be obliged to occupy the time of the House, but as the subject was so important, he felt he should be forgiven. He had not the honour of being known to Lord Londonderry; he was not actuated by any prejudice against that noble Lord; the objection which he felt to his appointment was, as he before stated, founded not on personal, but on public grounds; and he would now proceed to explain what those public grounds of objection were. In August last the noble Lord, in his place in the House of Lords, expressed himself to the following effect:—" Russia was perfectly justified in taking her own line with regard to Turkey, after we had conceived ourselves justified in taking a separate and distinct line from the other parties to the Treaty of Vienna with regard to the Belgian question, and as to the encouragement given to the Emperor's rebellious subjects of Poland," and the noble Marquess further stated, that this Government had interfered in favour of the Poles, to an extent wholly unjustifiable. He believed that noble person to be the first individual who had ever, in any place in this country, ventured to call the Poles rebels, or to say that the interference of this country in their favour, was unjustifiable. A constitution, an independent kingdom, and a sovereignty had been secured to them, and to which they had as much right as the Emperor of Russia to his crown. That Prince was bound to maintain the nationality of Poland by the Treaty of Vienna, to which the Seals of the Ambassadors of all the Powers of Europe had been affixed. The Treaty, he repeated, was shamelessly violated by the Emperor of Russia. But he would not further dwell on this point, but would content himself with saying, that the Poles were not rebels, but that they had been driven into resistance by the oppressive act of Russia. He did not ask that any person should be sent to Russia for the purpose of remonstrating with that Power, with a view to active interference on the subject of Poland; the time for such a proceeding had, perhaps, gone by; but of this he was convinced, that we ought not to send a person as Ambassador to Russia who had spoken of the Poles, and of the Polish cause, and of the conduct of his own Government in respect to it, in the terms he had stated. That House had admitted, the late Secretary for Foreign Affairs had admitted, that the resistance of the Poles to Russia was justifiable, and that it was not rebellion. Indeed, the only reason given by the late Government for not acceding to the Motion proposed by him was, not that the Motion was unreasonable, but that, in point of fact, all that the Motion required, had been done by the English Government. Ought, then, he would ask, a person to be sent as Ambassador to Russia who had a decided feeling against the cause of that gallant, but unfortunate, nation, and who declared that the British Government had interested itself to an extent wholly unjustifiable in favour of the Poles? Why, it never before had been said, that this country had done too much in favour of Poland; but he had often heard it asserted, on the contrary, that England and France had done less than they were bound to do in defence of the Treaty to which they were parties. He trusted it was not too late yet for something to be done for Poland as a State; but, at any rate, it ought to be the business of our Ambassador at St. Petersburgh to endeavour as far as possible to mitigate the fate of those unfortunate and gallant men, who were at present suffering from proscription, confiscation, and banishment, on account of a resistance which he must declare to have been perfectly justifiable. But was that the opinion of the noble Lord to whom rumour assigned the embassy to Russia? And would Ministers venture to confirm the appointment of an individual who had made use of such expressions, and exhibited such feeling in respect of the Poles, and of the Polish cause, as he (Mr. Fergusson) had already noticed? He would tell the right hon. Baronet opposite, that if that appointment did take place, it would be his appointment. The right hon. Baronet was Prime Minister of this country, and he would have to answer for the effects which such an appointment might entail with respect to Turkey and with respect to Poland. Whatever might be the consequences, he repeated, of that appointment, the responsible party would be the right hon. Baronet opposite.

Lord *Mahon* said, that the hon. Member for Tipperary had commenced his speech with an observation on the great importance of our relations with Russia and Turkey; from that remark, and from the notice on the paper, he owned he did expect that the hon. Member intended to draw the attention of the House to a question, the importance of which he had so justly appreciated. But so impatient had that hon. Member shewn himself to plunge into personal invective ["*No, No!*"] if not personal invective, into personal censure, that he had entirely omitted to notice or passed quite lightly over, the state of our relations with those countries. He (Lord Mahon) was willing to give the fullest explanation respecting the course taken, or intended to be taken, by the present Government with regard to eastern politics; but it really appeared to him, that Russia and Turkey had only been introduced into the notice of motion on the present occasion, for the purpose of affording an opportunity for an attack on a distinguished individual. Then, again, when the hon. Member for Tipperary expressed such strong objections to the appointment to which he alluded, he (Lord Mahon) for one, expected to hear some valid grounds stated for such objection. But what had been put forward? Nothing, but what he must call a stale anecdote full eight years old, and already familiar to the House from the Debates in the House of Lords. Would any one assert, that the opinions of Lord Liverpool as to the general services and character of Lord Londonderry were to be gathered from those few words which had been quoted? Was the hon. Member aware, that those words could only have been made public by a most flagitious breach of trust, and that the person who committed it would, if detected, be immediately expelled from office, perhaps even from society, with ignominy and contempt? He must say, that if the confidential communications of one Minister to another were to be made public, he did not see how the public business of the country could be carried on, or the mutual reliance of private intercourse be maintained. He utterly denied that the opinion of Lord Liverpool, as to the general character and conduct of Lord Londonderry, was to be collected from the words in question, which related solely and exclusively to a demand for a pension. He thought the House was bound to remember, in justice to Lord Londonderry, that a great change had taken place in the public feeling with respect to pensions, and a change also in the regulations by which they were bestowed; and that they must not, by an *ex post facto* judgment, condemn Lord Londonderry for claiming what, in his time, did not appear contrary either to propriety or to precedent. There could be no greater injustice in any case than to judge of past transactions by the standard of subsequent feelings. He should now refer to what had fallen from the hon. Member for Kircudbright. That hon. Member had objected to Lord Londonderry's appointment solely with reference to Poland. But he (Lord Mahon) thought that his argument lost much of its force, since he had himself admitted, that the time to do any thing for Poland had passed by [Mr. *Cutlar Fergusson*: What I said was, that the time for remonstrance with Russia had, perhaps, passed by]. He (Lord Mahon) must then have misunderstood the right hon. Member; but, even waiving the argument of time, he did not think the objection entertained by him to the appointment of Lord Londonderry, founded in reason. Whatever might be the individual opinion of that noble Lord, his duty as an Ambassador would be to execute the orders of the Government that sends him. Whatever he might think of the Poles, he would be found to act up zealously and strenuously to any instructions with which the Duke of Wellington might think proper to supply him, in behalf of that suffering nation. It had, indeed, been constantly urged during former Governments, that if an individual had knowledge and talents for the diplomatic service, his political opinions ought to be no bar to his employment and promotion. That maxim had, he knew, been often adopted in behalf of Whig diplomatists, during former Tory Governments. He must maintain that the expressions of Lord Londonderry respecting the Poles—expressions used probably in the heat and hurry of debate—were not a sufficient counterpoise to those talents, that experience, and those opportunities of observation and of practical knowledge, which no man had been better placed for acquiring. His military services at a military Court, like that of St. Petersburgh, were no small additional recommendation for an Ambassador; and, he might add, in conclusion, that if hon. Members were better acquainted with his generosity and kindness of feeling, they would, on this occasion, feel no small regret at having thus assailed him. [Mr. *Hume*: Has the appointment been confirmed?] He might say that, formally speaking, the appointment had not taken place; but he believed that it had been fully determined upon.

Mr. *Hume* considered it most important, as the King had been graciously pleased to declare in his Speech from the Throne that the Estimates of the year had been made with the strictest attention to economy, they should now inquire into the wisdom of applying so much of the public money to the paying for the services of such an individual as the Marquess of Londonderry. He knew nothing of the noble Marquess but as a public man, and he would ask the House, what they were to expect from an Administration which could make such a selection for this office, which must be high and important, if they were to judge of its importance by the greatness of the salary attached to it. There were only two Embassies in the whole circle of diplomatic appointments, whose expenses were rated at the same high value of 10,000*l.* The first of these was the Russian Embassy; and, in addition to the 10,000*l.* salary, the Ambassador at that Court was allowed 1,000*l.* for rent, and other contingencies, which amounted to 3,000*l.* or 4,000*l.* more. The question, therefore, was very important, and well deserving the consideration of the House, whether the services of the noble Marquess were worth 15,000*l.* a year. He believed that, during a period of ten years, the noble Marquess had received, for services done to the country, a sum of 160,000*l.*. That, however, was in the good old times of Tory extravagance; and the noble Marquess was not the only instance of such extravagance in the diplomatic department. He had on several occasions shown, that the diplomatic corps of this country cost the nation from 420,000*l.* to 500,000*l.* a year. The late Government had promised him to make some reductions in it, and he was happy to say some reductions had been effected. As to the appointment of the noble Marquess to this Embassy, with a salary of 15,000*l.* a-year, he considered it one of the greatest outrages on the feelings of the people of England, that he ever had heard of; and he had risen to say, that he considered it an example held out to the people of England of what they were to expect, if the right hon. Baronet opposite were allowed to remain at the head of the Government. Most mischievous would be the effect, if such an appointment as that of the noble Marquess were to pass unnoticed; but, it had not passed unnoticed, for it received the reprobation of those who, as public organs, were the great supporters of the party of the noble Marquess. They had distinctly declared it an appointment which the whole country would condemn. Believing, as he did, that that House represented the opinion of the people, he adduced it as evidence of the public feeling against the noble Marquess's appointment. The House would recollect that if the noble Marquess once set out on his mission, and even though he should be at once recalled, the country would be saddled with a pension suitable to the post the noble Marquess filled. The salary attached to his Embassy would be brought in in that year's Estimates, were it for no other purpose than to establish a claim to the pension. That, in itself, made it a matter of some consideration. But there was another view that the House should take of the appointment: England ought to send to such a power as Russia an individual whose opinions were liberal and just, and were known to accord with the free institutions of the country he represented—an individual on the character of whose representations to the Court to which he was sent the nation could rely. There should be some hopes, at any rate, that he would represent the feelings of the great mass of the people. In the present instance, that would not be the case. He judged from the notorious fact, that the noble Marquess had invariably been against all amelioration of the political circumstances of the people. He had opposed every thing connected with human freedom—even the humane design of others to mitigate the sufferings of the afflicted Poles. What, then, could these persecuted people—what could Europe expect at the hands of the present Government, when they saw it sending out such a man to represent it at the Court of Russia? They had nothing to expect. The Government sent him out to satisfy the despots of Europe—they thus tell the despots of Europe, "Judge us by our sending out a man who has been the loudest opponent of political freedom, and who has ever praised every act of your despotism"—Was not such an appointment enough to sicken the hearts of the people of England? It was an appointment which his Majesty certainly, had a right to make, but it was equally true, that the time might come when the House of Commons would withhold the money; and he was convinced that the people of England would be well satisfied if, in the present instance, the money was withheld which should go to pay an individual so obnoxious to them. He had had no intention of addressing the House upon this occasion, had the noble Lord opposite not made so lame a defence of the appointment by attributing the opposition to it solely to personal considerations.

Lord *Stanley* said that, from the answer which his noble Friend the Under Secretary of State had given to the hon. Member for Middlesex, that no such appointment as that which was the subject of the hon. and learned Member for Tipperary's Motion had actually taken place, he concluded that upon the technical point the Motion must fall to the ground. He did trust, however, and that the more especially in consequence of the answer given by his noble Friend, that the effect of this discussion, as far as it had gone, and of the opinions of the people of England, which were well known on the subject, might, yet, even at the last hour, prevent the completion of an appointment which he was bound to say was not creditable to the Government, or acceptable to the people of England. He looked not to the Question in a pecuniary point of view. He had never felt the tone of a discussion so lowered as when, after the feeling and eloquent speech of his right hon. Friend, the Member for Kirkcudbright, whose eloquence in favor of the gallant but unfortunate Poles, he had frequently admired, he heard the different ground taken by the hon. Member for Middlesex. His objections to the appointment had been so eloquently expressed by his right hon. Friend, that there remained little for him to add. He had been a Member of the Administration which, for prudential reasons, had felt it to be a necessary duty on their part—and he would say that they never had a more painful duty to perform—to resist the more active interference on the part of this country in behalf of the Poles, which his right hon. Friend wished. But if that Administration had considered it their duty to withhold their active support from that much-injured people, it deemed it the more imperative in every step it took, and by every influence in its power, to soften the evils under which they suffered. With these sentiments, he must say that the noble Marquess, who had declared his opinion to be unfavourable to the Poles, was the last person whom England ought to have sent to Russia to represent there the feelings of the people of this country. If it were now too late, to exercise any active interposition in their favour, as he believed it was, still much might be done by the known character and the quiet and constant influence of an Ambassador at the Court of St Petersburgh, for the purpose of representing the feelings of the people, and, he believed, of the Sovereign of England. The noble Marquess was the most unfit man in the empire to represent those feelings. It was said that reference should not have been made to by-gone transactions, but he thought that such a reference was perfectly justifiable, for those transactions were the last records they had of the noble Lord's official conduct, and he thought that not a very powerful passport to the good opinion of the country. Were they to regard as nothing the opinions of the noble Marquess? He might have instructions to act upon, but would his instructions in England or in Russia counterbalance his known sentiments? Did they believe that his efforts with regard to the Poles would be made—he would not say that they would be made in stimulating to actual severities—but did they believe that his conduct with regard to them would bear the impress of his own feelings, or of the feelings of the people of this country? But there was yet time for the feeling of the House and the country to be made known, and he could not help expressing his most earnest hope, that the right hon. Baronet, who had been most unnecessarily reminded that he was responsible for the appointment he had recommended—foreign, as he believed it to be, to his inclinations, and hostile, as it certainly was, to his interests—would allow the feelings of the House and of the country to have their influence upon the counsels of the Government.

Mr. *Otway Cave* said, it was far from his wish to say any thing personally disrespectful to the noble Marquess, but he could not avoid expressing his disgust and indignation at the conduct of Russia to the gallant and unfortunate Poles; and he asked whether it were right, whether it were proper, whether it were decent, to select as an Ambassador to the Court of St. Petersburgh one who was notorious throughout the country and throughout Europe for having given a distinct opinion in favour of Russia against the Poles? He did not believe that noble Lord would imitate the example which had been set him of retracting his opinions; but the more manly he might be, the more steadfast he might be in maintaining his opinions, the more dangerous would be his appointment. The noble Lord who had preceded him (Lord Stanley) had regretted that the tone of the debate had been lowered by the introduction of pecuniary considerations, but he thought the expense not a trifling consideration. He hoped, however, the right hon. Baronet would reconsider the appointment, and send some nobleman to the Court of Russia who, if he could not exert himself to get Poland reinstated in the rank of nations, would at least strive to obtain a more liberal policy on the part of Russia to the suffering inhabitants of the former country, and endeavour to save from exile some of those high-minded individuals who had sacrificed themselves for their native land.

Mr. *Cresset Pelham* said, that his sympathies had been roused by much that had been said with respect to the conduct of Russia towards Poland, and the subject of the relations existing between Russia, Turkey, and this country. Besides these two subjects, however, he was sorry to find that remarks of a personal character had been made with reference to a noble individual, who, he felt bound to say, had, however well or ill, exerted his powers in the service of the country for the last forty years. An hon. Member had alluded to an individual of the family of Stewart, who had long served the King, but who was a Tory, and had lent himself to the promotion of despotism; now he, as well as other Members, recollected the time when there was a general cry against only one despot in Europe, in opposition to whom the noble Marquess had exerted himself—he meant that unfortunate individual, Napoleon Buonaparte. He asked whether, in these days, the noble Marquess was to be called the aider and abettor of those persons who were now designated despots, but who, when he was connected with them, were acting in unison with this country against the common enemy, and, possibly, but for whose aid and assistance the contest might have ended in the ruin of this country? The right hon. Member for Kirkcudbright said, that the appointment, whether good or bad, rested with the right hon. Baronet; but he (Mr. Pelham) trusted that the House would not be led away by the notion that a man's public character rested on a speech that he might have made, or a few incidental observations that might have fallen from him.

Mr. *Ord* said, that the complaint of the hon. Member for Shrewsbury, as to the imputations thrown upon the noble Marquess, did not apply to the speech of his hon. Friend, the Member for Kirkcudbright, for his remarks were tempered with mercy and forbearance. He rose to express his surprise that, on a question of this importance, involving the consideration of the first act of the Government, by which they made manifest to Europe what they might expect from their Administration—that on a question of this importance the right hon. Baronet had not addressed the House, to answer, not for the possible appointment, but for the effects which had already been produced on the mind of Europe by the mere announcement of such an appointment. The noble Lord (Lord Stanley) had expressed his belief that that appointment was foreign to the inclinations of the right hon. Baronet; but he could not believe that it was so, as it depended upon the nomination of the chief adviser of the Crown. It was of a piece with the whole of the conduct of the Ministers; it tallied with the exoteric and esoteric doctrines which the country was left to collect from their actions. It was in unison with their behaviour to the Orangemen of Ireland. By his appointment they had, certainly, effected a great saving in the expenses of diplomatic correspondence; not even the hon. Member for Middlesex could have hit upon a more economical mode of communicating to foreign courts what they had to expect from the present Administration. The hon. Member said, "withhold the salary from the noble Marquess;" he (Mr. Ord), however, said, "withhold the man."

Mr. *Gisborne* asked, is this all the defence that is to be offered for this appointment? Is it to be rested on the speech of the noble Member for Hertford, or upon the speech of the hon. and learned Member for Shrewsbury? I have heard some Gentlemen in this House say, that this was an unnatural appointment; it appears to me, however, that it was most natural. It is an incontestible avowal of the principles of the Administration; it is in complete accordance with the principles on which the right hon. Gentlemen on the opposite benches took office. They were the steady opponents of the Reform Bill, and opposed it in every stage; they did everything in their power to prevent its success; they say, "We gave our last votes as we gave our first votes, in opposition to it, and, therefore, are we better able than any others to carry out its principles, and to work out its results." In complete analogy, then, to the reasoning on which the right hon. Baronet and his colleagues took office, the noble Marquess is considered the best person that can be appointed to see that the execution of the treaty between this country and Russia, which guaranteed the independence of Poland, is carried into effect. He is deemed the most proper man to send to the Court of Russia to endeavour to procure the fulfilment of the ratification of the Treaty of Vienna. He is, in consequence of his declarations elsewhere, the best adapted to interfere to mitigate the cruelty now exercised on the unfortunate Poles by Russia. The analogy is, therefore, complete between the present appointment and the accession of the present Ministry to office. The analogy ran throughout one with another. Whatever surprise, therefore, the announcement of the apppointment made on the minds of others, I confess that it created none whatever in mine. It is some months—at least two months ago—since the noble Marquess, who has been appointed our Representative at the Court of St. Petersburgh, made a speech at Durham, in which he announced his selection for that office; the seasons, it appears, have not been sufficiently propitious to enable him to reach the place of his destination. The noble Marquess has not been able to enter the Baltic in consequence of "the dangers of the deep." I recollect some time last year the right hon. Baronet opposite made some very striking observations. [An *Hon. Member:* the observations which the hon. Gentleman alludes to, were made on the occasion of Lord Ponsonby, who had been appointed Ambassador to Constantinople, and was unable to leave Naples, and proceed to the place of destination in consequence of adverse winds.] On the occasion to which I allude, the right hon. Baronet quoted with great effect the passage—

> "Otium Divos rogat in patenti
> Prensus Ægæo, simul atra nubes
> Condidit Lunam, neque certa fulgent
> Sidera nautis."

The noble Marquess, also, no doubt is enjoying his *otium* while waiting for the quiet of the seas. In this case it was not found that a land journey was convenient. The analogy, therefore, holds good throughout; and as the Ambassador to the Court of the Sublime Porte was detained to enjoy his *otium*, and which was so pleasantly treated by the right hon. Baronet, so the noble Marquess has been prevented proceeding to the Court of Russia. I have hitherto spoken lightly on the subject; but very different feelings from those which I have expressed are entertained by the country. The noble Lord says, that the appointment has not yet been definitely made, although it had been determined on. I am sure, if it is determined on, and actually takes place, it will become the House to adopt some strong measure. I need hardly say, that it is the duty as well as the privilege of the House, to express their opinion on the manner in which the prerogative of the Crown is exercised. I will say no more, however, until I see whether or not this appointment is made. Whether the course suggested by the hon. Member for Middlesex is the best that should be pursued I will not stop to examine; but I am sure that the House should express its feelings to his Majesty, stating, that the appointment is opposed to the feelings of the House and the country, and that it had alarmed Europe from one end to the other.

The *Chancellor of the Exchequer*: I was certainly not aware that to the other charges to which I am liable could with any degree of justice be added that of an unwillingness to take a fair share in the discussions of this House; and I confess it was with no small degree of surprise I heard the hon. Member who spoke last but one in this debate attribute it to me. While, however, I quite admit the right of that hon. Member—or any other who may coincide with him in thinking I am called upon to defend my conduct with reference to the appointment in question — to comment upon my silence, I must claim from him in return the right of postponing that defence until such time as may appear to my own mind most suited for that purpose. But, Sir, even if I were not to avail myself of that prerogative I think it will not, upon consideration, appear unreasonable to the House that I should have, at all events, up to the present moment, refrained from presenting myself to their attention. I think, when I am told from so many quarters that, be the result of Lord Londonderry's appointment what it may, the main responsibility must at all events rest on me—when I am in general terms informed that the Government to which I belong will forfeit the confidence of those over whose interests they are selected to preside, by selecting for the situation of Ambassador to the Court of Russia an individual whose conduct disintitled him to that honour, but it was natural that I should wish to hear what were the specific charges which could be adduced against that noble Lord, or against myself, before I took an opportunity of making a reply in his, or my own defence, the more especially when it was quite clear that, in compliance with the forms of the House, I could only address it once. Upon the Question of responsibility, I have but little to say.—I trust I never have shrunk, and never shall shrink from any responsibility which properly could be said to belong to me, or try to transfer to another the responsibility that ought to attach to myself. I admit, distinctly admit, that, for whatever may be done in any department of the State, practically, though perhaps not constitutionally I, who have the honour to fill the first post in his Majesty's Government, ought to, and will, while I retain that situation, consider myself, altogether responsible to my Sovereign and to my country. I do not hesitate here, in my place in Parliament, to declare that for every step taken in this appointment there is no individual belonging to the Cabinet who has contracted greater responsibility than myself, and whatever may be the course the House may think fit to take in consequence of that appointment it shall never find me either anxious or desirous to shrink from the declaration I now make. That the appointment of Lord Londonderry to the post of Ambassador to the Court of Russia, or to any other office, however insignificant, under the present Administration has failed in giving satisfaction to certain hon. Gentlemen opposite I do not—I cannot doubt. Is it not perfectly notorious that there is no one appointment connected with the present Government which gives them the slightest satisfaction? Nor is it very wonderful that such should be the case. Don't I know—don't we all know—that in proportion as men take an active part in politics, and in proportion as they desire to see the party they espouse gain the ascendancy in the State, in exactly the same proportion will the appointments of a Government, which exists in direct opposition to them, be at all times, and especially at the moment they have ceased to hold power, unsatisfactory to their feelings, and consequently the objects of their condemnation in their speeches. Have they expressed dissatisfaction at Lord Londonderry's appointment only? Why, not one single individual composing the Government is acceptable to them—not one single appointment the Government has made appears to give them satisfaction. Even their old friends and allies—even those whose co-operation and assistance they courted when they were in office — have now become the objects of their attack and condemnation. Is not the Attorney-General for Ireland under the late Administration, the Attorney-General for Ireland under the present Government? And yet are we not reproached with even that appointment? Is not my right hon. Friend the Paymaster of the Forces denounced by hon. Members on the other side as unworthy of the trust reposed in him? Did not the noble Lord, the leader of the Opposition, contrary, I must say, to his usual practice, and contrary I must also say, to what prudence ought to have dictated to him above all others, rake up the forgotten quarrels of 1829, and, speaking of the language used by the right hon. Baronet at a time of great excitement, and, with reference to a measure upon which the greatest difference of opinion prevailed, attribute to him expressions which, if the right hon. Baronet ever used them, and I possess not the slightest recollection of his having done so, he must in his calmer moments have regretted; and the noble Lord having done so, did he not urge the inexpediency of his having been selected to fill an office under the present Administration? [*Cries of* "*Hear, hear!*" *from the Opposition.*] Hon. Members, on the other side of the House cry "Hear, hear!" but, Sir, let me ask, is it or is it not the fact that my right hon. Friend, whose appointment to the situation of the Paymaster of the Forces, is considered so convincing an indication of illiberal dispositions on the part of the Government—whose appointment is considered sufficient to condemn in the eyes of the people, the whole policy and intentions of the Government—is, I ask, the report, which at the time was very generally credited, that my right hon. Friend was offered by the Government of Lord Grey a still higher appointment than that he now holds, true or false? ["*No, no!*"] All I can say is, I have heard it stated, and I have not before heard it contradicted, that the office of Secretary of War was offered to my right hon. Friend. ["*No, No!*"] My right hon. Friend did not himself tell me so, but as it was publicly stated, and as it has never been hitherto contradicted, I maintain I have a right to assume it is true. [*Renewed cries of* "*No, no!*"]. It was certainly so stated in the only vehicles of news to which the public at large have access, and sure I am that in those publications it was not contradicted. I know not, I repeat, whether the fact was as stated or not, but I do know it was publicly stated and that it was not publicly contradicted. ["*Hear, hear!*"] Well, then, I say, Sir, if such an offer as that to which I allude was made to my right hon. Friend, it is not fair to blame his appointment to an office under the present Administration as an indication of his intention to pursue an illiberal or unpopular system of policy. I come now to the particular question under discussion.—[*Cries of* "*Hear, hear!*" *from the Opposition benches.*] Surely hon. Members opposite are not so impatient that they cannot spare me even five short minutes to make an ordinary preface to an ordinary speech. [*Laughter.*] Surely they are not so impatient as not to allow me time to lay the groundwork for my defence. I will, however, not trifle with that impatience, but at once proceed to the point in dispute. As I said before, I have not the least doubt that the appointment of Lord Londonderry must be unsatisfactory to those Members of the House whose policy is directly opposed to ours; but I want to know—and I thought from the course the present debate has taken that I might have attained that knowledge—what are the allegations, what the specific charges, which can be brought against Lord Londonderry, and upon what grounds it is that his appointment as Ambassador is to subject the Government to which I have the honour to belong to the censure of this House. Up to the present moment I believe the sole charge against the noble Marquess is—and it is the charge of the hon. and learned Member for Kirkcudbright—that of his having expressed an opinion in his capacity of a Peer of the Realm, that the late Government had pursued their interference on behalf of the Poles to an unjustifiable extent, and that he had termed them "the rebellious subjects of the Emperor of Russia." And is that alone sufficient to disqualify the noble Marquess from being employed under the Government? Why, Sir, I heard but a few evenings since an hon. Member on the bench opposite tell the House, that unless everything his Majesty's Canadian subjects required was conceded to them by the British Government they would become—I quote the hon. Member's precise words—"rebellious subjects of the King of England." Is this sufficient in his own estimation to disqualify that hon. Member from obtaining any Government appointment; But, Sir, putting for the moment out of view this consideration, I have to say, that the scraps of speeches upon which the hon. Member for Tipperary has founded his allegations against the noble Marquess do not appear in the authentic reports of the proceedings in the House of Lords. I have before me "Hansard's Debates," and there I cannot find them. [Mr. *Sheil*—They will be found in the *Mirror of Parliament.*] I know not as to the *Mirror of Parliament*, but I have here before me, certainly, an authentic work, and one which appears to be very carefully edited, in which I can find no such expressions as those attributed to the noble Marquess. I am not in a situation positively to deny his having used them; but I cannot find them in the very careful version of Parliamentary Reports I hold in my hand. But, Sir, are we to judge of individuals by the language they may make use of in the excitement of debate? Do we not daily see here within the walls of this our House of Assembly hon. Members led away by the warmth of discussion, by their party feelings, or—and I shall not have to impose a great tax on the recollection of hon. Members in stating the last of my incitements—by their desire to criminate a Government to which they entertain hostility—make use of expressions by which, in their calmer moments they would much regret being obliged to abide. This takes place almost every day, and is it, I ask, fair or just, that upon such evidence the conduct of a public man should be judged? The hon. Member for Tipperary admitted, that as far as Lord Londonderry's personal character is concerned, he has ever acted with the manliness, which is inseparable from his mind and character. Is this, let me ask, an unimportant quality in an Ambassador? The hon. Member for Middlesex, in order to make out a case against the noble Marquess, has brought up the collateral question of the salary connected with the office of Ambassador. Sir, let me ask what is that hon. Gentleman's authority for stating that the salary of the Russian Ambassador is 15,000*l.* a year?

Mr. *Hume* had stated, that the salary attached to the office was 10,000*l.* a year, but that in addition to that sum, there was an allowance of 1,000*l.* a year for a house, which, with contingencies calculated at 4,000*l.* a year, brought the annual income of the office up to the sum of 15,000*l.*

The *Chancellor of the Exchequer:* I don't exactly know how the fact may be, and therefore, cannot deny the hon. Member's statement. The hon. Member may be right, but still I may say he is not so uniformly accurate in his statements, that I would wish to take it on his representation alone. But be that as it may is it exceeding the salary usually allotted to the Ambassador to the Court of Russia? Is it more than the salary allowed to Sir Stratford Canning? Is it not, in short, the rate of salary fixed upon by Lord Palmerston, and sanctioned by the late Government? What right, then, let me ask, has the hon. Member for Middlesex,—or any other hon. Member—to endeavour to create an impression against the individual by speaking of the amount of salary attached to the office he is appointed to fill? Is the amount of the salary sufficient to vitiate the appointment? If it be, reduce it. If the character of the individual selected makes his selection an improper one, attack it; but do not endeavour to create a feeling against the individual by joining the question of character with that of salary; which the present Government did not fix, but which they found established by their predecessors. The hon. Gentleman's other accusation against Lord Londonderry was this—that he had been attacked in *The Times*. He said, "You will find that twice in *The Times* there have been severe attacks against him." The hon. Gentleman says, *The Times* is a fair indication of public opinion. Will the hon. Gentleman consent to take his own character from *The Times?* Now I think that is a very fair way of going to work; for if the hon. Gentleman comes down with *The Times* as a witness against Lord Londonderry, and attaching the greatest importance to the opinions of *The Times*, and its extensive circulation—brings *The Times* forward as the justification of his attack upon Lord Londonderry, I can only say, that he has a feeling for a witness not very favourable to himself. Lord Londonderry has long served the public in public capacities. He believes that no one can call in question the military pretensions of Lord Londonderry; and that no one will say, that any officer, except the gallant general under whom he had served, has ever shown greater devotedness to the public service, or exposed himself in the course of that service to greater personal danger. [*Cries of* "*Oh!*" *from the Opposition.*] "Oh!" says the hon. Member for Marylebone, ever ready to hear an attack on those to whom he is politically opposed, and ever equally ready to interrupt those who seek to defend the absent from unjust imputations. [Sir *Samuel Whalley* was not the only Member who had interrupted the right hon. Baronet.] I presume the hon. Gentleman will not require me to name such offenders, *seriatim*, at all events, the hon. Gentleman was one of those who interrupted my defence of an individual for whom I again claim the credit of having nobly served his country; but I will not take up the time of the House by bestowing any more notice on the interruption. The right hon. Baronet proceeded to observe that Lord Londonderry had been on the staff in the Duke of Wellington's army from the year 1809 to 1813, and Adjutant-General in the army in Spain. He was aware that many persons might assert that to show a successful military career and great devotion to the service was no proof of general ability; but he should address himself to that part of the subject hereafter. His noble Friend, Lord Londonderry, having been Adjutant-General for a period of four years, and during a campaign of no ordinary difficulty, could not surely be considered a very inefficient person. His noble Friend served in a diplomatic capacity from the year 1813 till the year 1822. He was appointed Minister at Berlin in 1813; he was appointed Ambassador to Vienna in 1814; and he retired from the service in the year 1823, at his own request. Reference had been made—and he really thought most unfairly made—to an application made by his noble Friend for a pension, to which he thought himself entitled. He did not receive that pension.—He put an erroneous construction on his claim. But suppose his noble Friend did so, he would ask any man—he would refer the matter to any hon. Gentleman opposite, and ask him, as a private individual—could the circumstance of a public man, entertaining that opinion, and making that claim which was not acceded to, be fairly taken as evidence of his general character, and as proof of his inefficiency, to serve the public. Surely the main question, after all, was, as to the manner in which his noble Friend had conducted himself—not in his military capacity, not in his office as Adjutant-General, though important duties were connected with it—but in the diplomatic situation he had held, of equal rank with that for which he had been now designed, and which he had held, for a period of ten years, in most critical times? It would not be difficult to obtain testimony to the conduct of his noble Friend. No doubt, however, if an appeal were made to Lord Aberdeen, hon. Gentlemen opposite would object to the testimony of that noble Lord, or, if an appeal were made to the Duke of Wellington, they would equally protest against being bound by the noble Duke's evidence in such a matter. But if he referred to the opinion of Mr. Canning, could hon. Gentlemen object then? Could they refuse to receive the opinion of Mr. Canning as to the ability, as to the integrity, in short, as to the qualifications of his noble Friend, Lord Londonderry? Mr. Canning, on his appointment to office, on the ground, be it borne in mind, of his foreign policy, received the cordial support of hon. Gentlemen opposite. They overlooked his opinions on some matters of domestic policy, declaring that out of consideration for the course taken by him in foreign politics, they were prepared to give his Government general and cordial support. It might be said, that he was speaking of an early period of the life of Mr. Canning—but considering that Mr. Canning was in the situation of a Minister of the Crown, there could not be any one but must be proud of such a testimony to his ability and qualifications as that which he was about to read. When his noble Friend Lord Londonderry expressed a wish to resign his situation at Vienna, he received the following letter from Mr. Canning:—

"Foreign Office, October 15th 1822.

"My LORD—Having laid before the King your Excellency's despatch, dated the 26th ult. requesting his Majesty's gracious permission to retire from the eminent post of his Majesty's Ambassador to the Court of Vienna, I have received the commands of his Majesty to signify to your Excellency, that his Majesty has been most graciously pleased to grant the permission you solicit, accompanied with an expression of his Majesty's deep regret for the loss of your Excellency's services, and of his Majesty's full and entire approbation of the manner in which your Excellency has for a series of years, and in times of the most critical importance, conducted the affairs of the embassy intrusted to your charge, and maintained the intimacy and cordial good understanding so happily subsisting between his Majesty and his Majesty's imperial ally."

Such was the testimony borne by Mr. Canning to his noble Friend Lord Londonderry, on his resignation, on the last occasion on which he was employed in the public service; and he must say, that considering the intimate personal acquaintance of his noble Friend with all those who were concerned with—and the part he had himself taken in the great events which followed the year 1814, considering the proof given that he had performed his arduous duties most satisfactorily (such being the opinion, as he had just read, of Mr. Canning) he could not believe that any angry speeches—he could not believe that any such speech as that delivered at Hillsborough, he could not believe that an application for a pension, would be sufficient to countervail the weight of that testimony which had been given by an impartial individual. He wished to know—apart from the extract produced by the hon. Gentleman and apart from the general prejudice entertained against his noble Friend by hon. Gentlemen opposite—he wished to know what was the allegation against his noble Friend which he had not met. Apart from that particular passage which the hon. Gentleman read what, he again asked, was the allegation against his noble Friend? The hon. and learned Gentleman touched lightly on our relations with Turkey and Russia. The hon. Gentleman said it was the duty of Government to have taken steps for the purpose of preventing the Turkish barriers being crossed by the Russian army. He knew not what some hon. Members might think, but he was of opinion that the House of Commons would not have sanctioned the sending of a great military expedition, such as would have been necessary for the purpose of preventing the Russian troops passing the Balkan. In the first place, entreating hon. Gentlemen to recollect the situation we were in at that time with respect to Greece, he greatly doubted whether any actual interference on the part of this country would have been effectual—he doubted that the House would have sanctioned it, and at all events he thought it must have terminated the negotiations that were then going on in behalf of Greece by this country. Then, if we had taken a hostile position, a small force would not have been sufficient, and he begged to ask the hon. Member for Middlesex, whether he would have been disposed to consent to a considerable increase of our military establishment with such an object in view? A force of 30,000, or 35,000 men, would have been required for the protection of Constantinople: experience had shown the impolicy of any nation involving itself in the difficulties of a hostile position without a sufficient force to accomplish its object. If once they had commenced war for the protection of Turkey, would any hon. Gentleman say, that such a war ought to have been undertaken with a small force? Lord Holland was not one of those who thought it desirable for this country to go to war for the purpose of defending the tottering empire of Turkey, which was falling probably by its internal dissensions and misgovernment, as much as by hostility on the part of Russia; that noble Lord did not think it desirable that we should interfere actively and singly against all the other Powers. Lord Holland's opinion he was not going to denounce: he quoted him only as an authority, not for the purpose of condemnation. Speaking of the opinion, that Turkey was our ancient ally, his Lordship said:—"No, my Lords, I hope I never shall see, God forbid I ever should see—for this proposition would be scouted from one end of England to another—any preparations, or any proposition, or any attempt to defend this our ancient ally from the attacks of its enemies. There was no arrangement made in that treaty for preserving the crumbling and hateful, or, as Mr. Burke called it, the wasteful and disgusting empire of the Turks from dismemberment and destruction; and none of the Powers who were parties to that treaty, will ever, I hope, save this falling empire of Turkey from ruin." Supposing that he (the Chancellor of the Exchequer) were to refer to this passage from Lord Holland's speech, a passage containing opinions so widely at variance from those of the hon. Gentleman opposite, and supposing that he were to argue, as the hon. Gentleman now argued, that the man who delivered the opinion, that England ought never to interfere for the preservation of Turkey, was unfit to be admitted into the councils of his Sovereign, because he had given an opinion that might encourage Russia to attempt the dismemberment of Turkey, because he held opinions which being known to Russia, proved to her that she might attack Turkey with safety, secure from danger of defence being offered from that Government of which Lord Holland formed a particular part, would it be fair in him to select that for the purpose of attacking Lord Holland on the policy that was pursued? He really thought hon. Members ought not, therefore, to be too critical of each other's language. But this attack against the noble Lord had been made in his absence. He did not complain of the hon. Member who made it, he only desired the House to recollect who the individual was who had made the speech, an extract of which he had just read—to recollect that the book which he held in his hand, did not prove the allegation that had been made against the noble Lord, and that the noble individual ought to have an opportunity of vindicating his own conduct. If the hon. Gentleman should think it expedient to make a precedent to interpose a negative between the exercise of the King's prerogative, and to establish it with respect to the appointment of an Ambassador, the House might rest assured, that the precedent would not stop there; but that it would be acted upon in the case of every appointment that a powerful minority might choose to question—[*Cries of a "Majority"*]—well, if it were a strong majority *à fortiori* the constitutional objection to this course of proceeding was still stronger. He had no wish, he could assure hon. Gentlemen opposite, to under-rate their force: but if they were a majority, still it would be an infinitely better course for them to exert their power in an attack on the Ministers—to ask the Crown to remove them—to declare their entire want of confidence in those Ministers, and Address the Crown for their removal—it would surely be infinitely better for the majority to take that course than to lower the prerogative of the Crown by assuming undue powers, and interfering with those which properly belonged to the Crown.

Sir *John Hobhouse* felt bound to ask a question, which, in his opinion, the right hon. Baronet had rendered necessary, notwithstanding all he had said, which was, whether the right hon. Gentleman, upon his responsibility—and he had fairly and manfully avowed his readiness to take upon himself as much of the responsibility, if not the whole of it, as could belong to him—intended to persevere in this appointment?

The *Chancellor of the Exchequer*:—Does the right hon. Baronet mean his remark as merely part of his speech, or does he put a direct question to me, to which he expects an explicit reply?

Sir *John Hobhouse* called on the right hon. Gentleman to answer the question, because he could not gather from his speech, whether he meant to say that the appointment was to be persisted in or not.

The *Chancellor of the Exchequer*: Is that a question which the right hon. Baronet wishes to have answered at the present moment?

Sir *John Hobhouse* did not desire to press the right hon. Baronet for an immediate answer if it were inconvenient. What he meant was, that by the course of argument pursued by the right hon. Baronet, he could not ascertain, whether he meant to tell the House of Commons that in the present state of feeling, as regarded this appointment, and after the expression of the opinion which he had heard to-night, which he would not say was the opinion of the majority, though it looked very much like it—whether such being the feeling, and such the expression of opinion, the right hon. Gentleman did intend to persevere in the appointment.

The *Chancellor of the Exchequer:* Whether, Sir, I am in a majority or minority this House shall never find me disposed to withhold any information which I can give on any question which I can answer consistently with my sense of public duty, nor will I hesitate now to say, notwithstanding the speeches of to-night, that I am not prepared to advise the Crown to cancel that appointment.

Sir *John Hobhouse* would take the liberty, then, at once, of giving his very humble, and, it might be, most insignificant opinion; but it was one in which he was, notwithstanding, confident, agreeing as it did, not only with the feeling of this House, but, also, with that of the noble Lord, the Member for Lancashire, whose speech, he must say, the right hon. Gentleman had not even touched upon—he must express his decided opinion, that the country would regret much that the right hon. Gentleman—with more manliness than discretion, with more respect for his own opinion and that of his colleagues, than for the opinion of the country—still persevered in that, not only most unfortunate, but most improper, appointment. Previously to making the observations, he had to submit, which he should do very shortly, for the Question really appeared to him to lie within a nutshell, he would take notice of the little episode the right hon. Baronet had introduced as a foundation for his speech with reference to the Paymaster of the Forces. For his own part, he had never heard of such an offer as had been alluded to having been made by the late Government to the Paymaster of the Forces. It might be perfectly true that it was made, but there was a difference between the late Government offering the right hon. Gentleman an appointment and the present Prime Minister having offered him it. He did not recollect, that that right hon. Gentleman (the Paymaster of the Forces) ever accused Lord Grey of having put himself at the head of a great cause for the purpose of betraying it. The right hon. Gentleman had certainly been in opposition to many of the measures proposed by those who acted with Earl Grey, and by that, perhaps, he might account for the right hon. Baronet offering him office. The right hon. Baronet, by his nods, seemed to assent to that; and if it were so, then he could account for it, although he had never heard of it before, and it was most likely, because the right hon. Gentleman, the Paymaster of the Forces, had assisted to turn out the Duke of Wellington's Ministry. He meant only to fill up the picture, the outline of which had been drawn by the right hon. Baronet. He did recollect the powerful assistance of the Paymaster of the Forces on the Civil-List Question, and it was in consideration of the aid brought by his section of the House, that they were enabled to come to that very momentous decision, which was carried only by twenty-nine, and which, certainly, did bring from him (Sir John Hobhouse) that rather intemperate question, which he had always regretted, namely, whether or not it was the right hon. Baronet's intention to resign? On that account, perhaps, the right hon. Gentleman (the Paymaster of the Forces), on account of his numerical, as well as intellectual aid, was selected as a person of sufficient importance to have offered to him the office of Secretary at War under the Administration which was formed when the Duke of Wellington resigned. In his opinion, it was a very natural offer, but how the right hon. Gentleman happened to be selected just now by the right hon. Premier opposite was quite another thing. Now, when the right hon. Baronet said, that the Paymaster of the Forces' appointment must have been unsatisfactory to the opposite side of the House, the right hon. Baronet must excuse him (Sir John Hobhouse) for saying, he never was so glad to hear of any appointment in his life. That appointment alone took away every pretext of the warmest partisans of the Government for saying, it was what it professed to be, a reforming Administration,—an Administration that was to work out the Reform principles of Earl Grey's Administration. That appointment was a proof that there would be no imposture, no fraud; and that it was not intended by the right hon. Baronet opposite that there should be any. This certainly did appear to him, that if he entertained some little doubt before, if he had only seen the appointment of the President of the Board of Trade, he might have thought that a little incongruous, but then, when the appointment of the Paymaster of the Forces came, he was quite sure there was no mistake whatever. Therefore, he begged leave to say, that he, for one, and he believed he might say his Friends also, were so far from being angry, were so far from being annoyed, with the appointment, that they were delighted with it—they were indeed happy to find that virtue was at last rewarded. With respect to this appointment of Lord Londonderry, he must say, that the right hon. Gentleman had, by his speech, only confirmed the previous suspicions expressed by the noble Lord the Member for South Lancashire. That noble Lord said, he was quite sure that the inclinations of the right hon. Gentleman must, in fact, be against the appointment. And if ever he did hear in his life a speech from a dexterous debater, and he had had the honour of listening to the glowing eloquence of a Fox from under the gallery of the House, he certainly never did hear one in which the weakness of an argument was more dexterously avoided; yet, it was impossible for the right hon. Gentleman to make out a case. The right hon. Gentleman was himself aware of that; he knew the badness of this case, for he went beating about the bush, at one time having a little hit at the economy of the hon. Member for Middlesex, then flying off to *The Parliamentary Debates;* in short, the right hon. Gentleman addressed himself to everything but the merits of the case, viz., whether, however respectable the private character of the individual, a nobleman of most decided and pronounced opinions on topics which must of course occupy the attention of the Court to which he was appointed, was a fit person to be sent on such an embassy? He held in his hand a record of their proceedings, and would read a sentence from a speech uttered by the noble Lord, which he thought more decided and more conclusive of the impropriety, he might say, of sending him to St. Petersburgh, than the sentence that had been read by the hon. Gentleman. "If we had, unfortunately, by our policy become more alienated from those Powers with which we were formerly on friendly terms — if Austria and Prussia, as well as Russia, were impressed with the belief that Great Britain, instead of being that Conservative, that *bienfaisant* power as before, which always exercised her influence in maintaining the peace of Europe, and the rights of nations as they had been settled by treaty—if, on the contrary, they now believed her to be inoculated with that virus of revolutionary liberty which they felt to be inimical to their interests, and to their safety, it could not be expected that they would keep up that close alliance with her through which she had exercised so happy an influence upon the peace of the world, but which, unfortunately, from the course his Majesty's Government had now taken, it would be impossible for her to exercise again." There could be no mistake about that sentence. If, as the right hon. Baronet had stated, it were merely a loose phrase, thrown out in the heat and excitement of debate,—if it had been said in answer to something that had been urged personally irritating to the noble Lord, and in direct contradiction to the whole tenor of his political life and opinions, it ought not assuredly, in fairness, to be quoted as the groundwork of a charge against him. But the phrase he maintained was such as clearly showed that the noble Lord disapproved of the whole foreign policy of the late Government, that he considered their policy had alienated from them the great military monarchies of Europe by a revolutionary course at home, endangered alliance with them abroad, their policy being no longer Conservative, but tending to revolution. Now, he begged leave to ask, whether, with such opinions so declared, and manifested by acts, if words and speeches were to be so considered (and if he were to look into the debates in the other House of Parliament there were very many occasions in which he might find other sentiments expressed by the noble Lord indicative of the same spirit)—he begged leave to ask, whether the right hon. Baronet—that right hon. Baronet, having in his manifesto to the electors of Tamworth, in the King's Speech, and in his explanatory address in that House, intimated his determination to adhere to the foreign policy of the late Government, it was prudent, discreet, and wise to appoint a nobleman, entertaining those views, ambassador to St. Petersburgh? If that nobleman must be sent as Ambassador to some of those Monarchies of whose friendship he was so chary, and whom he thought the free people of this country ought above all to conciliate, why, in God's name, not send him to Vienna or Prussia? Why send him to St. Petersburgh, to that Court, above all others, where he could not possibly do any good, and where it was almost impossible, but he must do a great deal of harm? It had been most truly said by the noble Lord

(Stanley) in his unanswered speech, that this appointment was to be considered, not as indicative of the sentiments and opinions of the Government to that House and to the country merely, but to the whole of Europe; and its language was nothing but this—"We have succeeded to a Government that carried into effect great reforms at home, of which we notoriously disapproved—a Government which kept a close alliance with France which you call revolutionary, and which, as long as you could, you refused to recognise." Such was the language which Lord Londonderry's appointment addressed to the great military monarchies of Europe. He maintained, if there was one court to which the noble Lord ought not to have been sent, it was the Court of St. Petersburgh, having on more than one occasion expressed himself decidedly of opinion, that the Poles were guilty of rebellion. It was not fit, that he should go to that Court, unless it were desired to make the Court of Russia believe, that such was the opinion of the Government, and of the people of this country, and that the noble Marquess was to act on that opinion. For he must take the liberty of saying, that although an ambassador was the ambassador of the King, which was true; yet, he was sent to act for the interests of the country, and his appointment was on that ground as much questionable as that of any other Minister. He protested solemnly against the hint thrown out by the right hon. Baronet in the conclusion of his speech, as if in the present discussion they were at all chargeable with the slightest infringement of prerogative, or manifested any species of extension of those privileges which the Representatives of the people had a right to exercise. If, in that House, they ought to manifest an anxiety for the honour of England—if they ought to care for the manner in which her interests and wishes were represented in the most powerful of foreign courts, surely they had a right to whisper to the right hon. Baronet, that the choice which he had made in the appointment of one of the most influential servants abroad was not such as they could approve. But the right hon. Baronet had stated, that they objected to all appointments; had they objected to the appointment of Lord Cowley to Paris? He did not know how many other diplomatic appointments had been made, but they had in fact objected to none except that of Lord Londonderry. Had they objected to the law appointments of the right hon. Baronet? No Gentleman, either in or out of that House, had done so. He must be allowed to say they (the Opposition) were not so blind, so besotted, and so completely forgetful of their own character, or the interests of the country, as to object to everything merely, because it was proposed by the right hon. Gentleman. That right hon. Gentleman had a very good memory, and they sometimes suffered from it in Debate; and the right hon. Baronet could not forget, that in former Sessions he owed his maintenance in office to the support given him by the Members on the Opposition side of the House; but it was not necessary to carry his recollections much further back than to what took place a few nights ago, and if he (Sir J. Hobhouse) knew anything of his friends, it was not because either a man or a measure was proposed by the right hon. Baronet, that the proposition would be opposed by them, although he certainly did agree with that right hon. Gentleman in one of the several speeches which he had lately made, that the cant of "measures and not men," was one of the most foolish, and ought by this time to have been exploded. He did not know that there was anything that required to be added to what had been advanced by those who preceded him as to the opinions of the noble Lord. They were not flying opinions, not collected from one speech—they were opinions known to all, concealed from none, and in which the noble Lord himself, nobody could deny it, completely gloried; but if so, the noble Lord was not, in his opinion, a fit man to be sent to St. Petersburgh; and he was quite confident, if the right hon. Gentleman did persevere in the appointment, the House of Commons would feel it an incumbent duty to take some decided step in relation to it. But the right hon. Gentleman said, "Do not take those means of discouraging me, or disparaging the Government; it were better a great deal at once to propose a vote for our removal from office." Now, in that particular, he entirely agreed with the right hon. Gentleman. He said so, certainly. Most decidedly, if he could remove him from office, he would do so to-morrow; although the right hon. Baronet would not think the worse of himself, or his security in office, for that, of course. But he said, "Remove us at once from office, because by thus perpetually disparaging us, you are only damaging the character of the Executive Government;" and, certainly, it was most cruel thus to play with the right hon. Genman. It was too bad for the noble Member for Lancashire, and the right hon. Baronet, the Member for Cumberland (Lord Stanley aud Sir J. Graham) to play so long and so vexatiously with their victims after all their entreaties for an end to be put at once to their lingering existence, lest the King's power should be hurt, damaged, and injured in their persons. Why, whose fault was it that some means had not been devised for getting rid of them at once? Some hon. Gentlemen thought they had found out a way of effecting it by placing the right hon. Gentleman, whom he had then the honour of addressing (the Speaker) in the Chair of that House; but it would not do, for the right hon. Gentleman got up again and showed himself as ready to fight as ever; and a most manful fight he made of it. No one, he confessed, was more sanguine on that point than himself, and, sincerely, the great recompense he had for all the weary contemplation of the right hon. Baronet's official conduct was the hearing him speak. Then came the Address; without revealing secrets, he might state, that when they were concocting the Amendment, the question put by one hon. Member was, whether the right hon. Baronet would resign if such a clause was introduced?—and the answer was, "Put it in, he must resign." Then, after the Amendment was nearly completed, another hon. friend, who should be nameless, said, "Do put in this about the dissolution of Parliament, and then no man of the least honour or feeling can possibly do otherwise than resign." And it was inserted, but the hon. Member, who had, he supposed, lived a shepherd all his life, and knew little of the ways and means of Courts and Parliaments, was disappointed of course, for the Amendment being carried, though by a somewhat smaller majority than on the question of the Speakership, the right hon. Gentleman did not resign, but intimated, that he would persevere to the last. No doubt of it; but the question was when that "last" would come. He could not conceive, after what had passed the other evening, nay, after what had passed that very night, how it was possible for Ministers to continue sitting on the Treasury benches. Why, this diplomatic appointment was the very first made—he did not mean to say without the sanction of the right hon. Baronet, for it was always understood, that such appointments, although suggested by the Foreign Secretary, received the Prime Minister's sanction—the first appointment made by that great man, of whom it would be childish and presumptive in him to speak, and who was placed at the head of the Foreign Affairs. When accident had sent the right hon. Gentleman abroad, as it had sent the late Administration abroad, the very first act of the Duke of Wellington, which was not only left undefended, but from that very quarter to which there could be no doubt the right hon. Gentleman owed his precarious existence (pointing to the Bench occupied by Lord Stanley and Sir J. Graham),—from that Bench, and the powerful persons who sat there, came forth the condemnation of this appointment; so that the Government was disgraced and dragged through the mire in the person of all others the most important in the Cabinet, the Duke of Wellington. Whose fault, then, was it that the right hon. Gentleman did not retire? But the right hon. Gentleman suggested another course, and seemed angry that they had not adopted a certain scheme of operation for that night; but, of the two, he rather thought there was more reason to be angry with the course which had really been followed that night. Perhaps the limiting of the Supplies might have been much more satisfactory to the right hon. Gentleman. But suppose the House were to resolve on an address to the Crown, without damaging the prerogative, merely for the purpose of preventing Lord Londonderry from proceeding to St. Petersburgh, if he (Sir J. Hobhouse) gave notice for Monday, or that day week, of a Motion to that effect, would the right hon. Baronet put the question of remaining in office upon the issue? But the time must come, when the right hon. Baronet must retire, and it only depended on a certain portion or "section," composed of one branch of his occasional supporters, when that period should arrive. It struck him, as a very singular thing, that a Minister so distinguished, and so highly accomplished as the right hon. Baronet, should condescend to hold office on such a tenure as that by which he now possessed it. He knew perfectly well, that a single word from the noble Lord (Lord Stanley) could deprive him of the situation which he now held, that was to say, if the right hon. Baronet meant to abide by a decided majority in that House, and if he had not made up his mind to make another appeal to the people. He must take the liberty of asking whether the right hon. Gentleman did not think that he stood in a situation hardly compatible with the dignity of a Prime Minister of the country? Did he not think, that he trusted too much to party calculations, and that he was Minister of England on mere sufferance? The right hon. Baronet knew, that was the case. His existence in office depended on the goodwill and pleasure of that Bench, where sat the noble Lord (Lord Stanley), and the right hon. Baronet (Sir J. Graham); and if any combination of circumstances could induce the noble Lord and his friends on any given occasion to decide against the right hon. Baronet, and join their old friends and allies in one common object, his official career would immediately for the present be terminated. In conclusion, the right hon. Baronet begged pardon of the House for the length of his observations; but he should not have entered into those various topics, connected more with the existence of the present Ministry than with the immediate subject-matter of debate, had he not been drawn aside by the right hon. Baronet himself. He had endeavoured to follow him, though at an humble distance; and he could only now repeat, if that right hon. Gentleman had come to the determination of persevering in this appointment, he hoped the House of Commons would take steps, and persevere in them, in order to procure the rejection of it.

Sir *Edward Knatchbull:* It had been matter of deep and sore regret to him, since the meeting of Parliament, to see night after night wasted in purely personal discussion. He had imagined that the debate would be confined strictly to the fitness or unfitness of Lord Londonderry for the office of Ambassador at the Court of St. Petersburgh, yet he was called on to defend himself from personal attack, a thing he had almost conceived out of the pale of possibility. Nothing was more unpleasant to him individually than to be obliged to speak of himself; but if he was personal for a brief space he trusted the House would bear with him, as he was compelled to it by the course the debate had taken. He trusted, however, that he should be able, in a few brief words, to exonerate himself from the charges which had been so unfairly and so untruly brought against him. First, as to what passed between him and Lord Grey's Administration. He fully concurred in all that had fallen from his right hon. Friend upon the subject of gratuitous attacks upon public character. He had never been in the habit of indulging in invective, or of bringing charges affecting the characters of public men, because he knew well how delicate a subject public character was, and of what advantage a good one was in that House, as well as with the country. He had never spoken of Lord Grey but with deference and respect, or of any Member of his Government in a manner in which he should object to be spoken of himself. With respect to one of the subjects of attack made on him by the right hon. Baronet—his being in treaty with Lord Grey's Government—he should take that up first, and tell the House all he knew about it. Lord Grey, in the progress of his arrangements for completing his Cabinet, through the medium of Lord Palmerston, did him the honour, most unexpected certainly on his (Sir Edward Knatchbull's) part, to call on him and ask him if he would accept office under Lord Grey. His answer to that application was, that not being ambitious of office, he was unwilling to take such a course, but he heartily wished success to his Lordship's Administration. Why? Because it was consistent with the conduct which he had pursued on former Sessions. He also added, on that occasion, that he sincerely hoped, they would introduce such Reforms as were essentially necessary to preserve the institutions of the State, without proceeding so far as to endanger those institutions. He was obliged the more to dwell upon this, because one charge which had been brought against him was, that from first to last he had opposed everything having the semblance of Reform; but surely, if that had been the case, Lord Grey never would have made him the offer with which he had honoured him, of joining his Administration. Such was one of the charges which had been brought against him; nor would he have so minutely alluded to it on the present occasion had it not been industriously circulated, that he was opposed to all Reform, for the purpose of characterising the extreme party character of the Administration of the right hon. Baronet, to which he had the honour to belong. There was another point on which a second charge was founded against him, the right hon. Baronet (Sir J. C. Hobhouse) having very adroitly insinuated something in the nature of an attack in reference to the Malt-tax. Now, on that subject he (Sir Edward Knatchbull) had given no pledge one way or another. When asked what his opinions were, in the presence of 7,000 electors of East Kent, his answer was, that the point was one of great importance, and that he must reserve himself until the question came to be fully and fairly considered; it was deeply and intimately connected with other matters, and in connexion with them his decision should be made. Such was the pledge he had given. But, perhaps, he might be told he was afraid of meeting his constituents. He would tell the right hon. Gentlemen in Opposition that the most unfair means had been taken to prejudice them (the Ministers) in the opinion of the country. They had been misrepresented grossly, and no one more than himself. If it were true, what had been imputed to him, he was ready to admit it would form a fair and just ground of attack against him; but when he proved it to be unfounded, and unjust, he hoped he should sufficiently vindicate himself, and at the same time, what was of greater importance, vindicate the composition of his right hon. Friend's Administration. The circumstances to which he was now about to allude took place at the election for one of the Ridings of Yorkshire, when an hon. Baronet (Sir George Strickland), colleague to the noble Lord (Morpeth) who moved the Amendment to the Address, spoke to this effect:—"Gentlemen, I ask you, what are the principles of the present Administration? How are we to ascertain them? The most natural way seems to me to be to judge by the character and principles of the men who have joined that Administration." He did not think that an unfair mode of proceeding, provided a just and true character were given to them; but nothing could be more unfair, if their character and principles were misrepresented. The hon. Baronet to whom he had alluded continued, "Now I will cite from one of them, for a long period looked up to by the Tory faction as one of their most cordial supporters—I mean Sir Edward Knatchbull, who stated his opinions in these words:—"'I am an old and determined Tory (the individual whom Lord Grey requested to join his Administration.) I hold this my opinion, that every man is an enemy to the country who will not exert himself to the utmost to uphold all our institutions and establishments in that state in which they were handed down to us from our ancestors.'" Such were the principles imputed to him by the candidate for the West Riding of Yorkshire; and if that hon. Baronet (Sir George Strickland) or the noble Lord (Morpeth) his colleague were in the House now, he could assure the House and the hon. Baronet that there was not one word of truth in the quotation, for the sentiments he expressed on that occasion were directly the reverse of those attributed to him. He hoped, therefore, that when the hon. Baronet quoted him again, he would take a little more care to be accurate. The right hon. Baronet opposite (Sir J. C. Hobhouse) had said, that he was not a party to the negotiations which had been entered into with him and the Government of Earl Grey; and in stating this, he only stated the fact. The right hon. Gentleman was not then a Member of that Administration, as Lord Grey at that time had no need of his assistance. He could not go through the whole of the observations of the right hon. Baronet, for he had jumped from one subject to another, and many expressions might have escaped him. With respect to the appointment of Lord Londonderry he (Sir Edward Knatchbull) begged to say a very few words. He had no particular acquaintance with that noble Lord, and therefore could not have any personal feelings to influence his opinion of his fitness. But he was bound to conclude from his knowledge of the probity, patriotism, and experience of his noble and right hon. Colleague in office that the appointment was made on the safest grounds—the competency of the individual for the duty he had been selected to perform, and the public good. There was only one charge made against the noble Marquess by the hon. and learned Member for Kirkcudbright (Mr. Cutlar Fergusson), and which charge had been merely collected from the Records of that House, in one of which the passage objected to was omitted, and in another inserted. Could he expect that from such a charge his right hon. Friend, the Chancellor of the Exchequer, was to renounce the appointment? On that the whole objection rested, and he concurred in the course adopted by his right hon. Friend, the Chancellor of the Exchequer. It had been asked how far he could act with the present Government—he who had been so much opposed to the Members composing it on the subject of the Catholic Question. He certainly did oppose them when the Catholic Question was under discussion, but that Question had long been settled; and if it should be established as a doctrine that a difference which existed betwen public men, at any time must separate them for ever, it must end in the exclusion of every man from office who had ever either written or spoken on public questions. He had, then, joined his right hon. Friend, the Chancellor of the Exchequer, not because he desired to undergo the labours of a public life, but because he knew that, by so doing, he should consult the wishes of his constituents, and he trusted he should be able to continue to give the Government his support. He had never deviated from an honourable course, and he would always proceed in it. He trusted this brief explanation would prove satisfactory to the House.

Sir *George Strickland*, having been so personally alluded to by the right hon. Baronet, had taken the opportunity of distinctly admitting that he had expressed an opinion of the present Administration, and said, that it ought to be estimated by the known sentiment of those forming it; that such might be taken as a test of its character; and such would, in his mind, determine whether it was a Reform Administration or not. Would they not abide by the declaration they had made, in which they had thwarted every measure to which the country was looking with satisfaction? He had alluded to one of the Members of the Administration, namely, the right hon. Baronet, the Member for East Kent (Sir Edward Knatchbull.) He had learned from the newspapers that that right hon. Baronet had said, that any Administration would not be doing its duty which attempted to change the institutions derived from our ancestors. Would the right hon. Baronet deny the accuracy of that representation? He believed it was correct, from what he had learned of the right hon. Baronet's opinions; and when he reflected on what he had seen, known, and heard, and upon the evidence of what passed in that House, he was only the more confirmed in his opinion. He had not had much experience in that House, but during the short period he had been in it, he had seen something of the contention of parties. In the Parliament which carried the Reform Bill, he could not avoid recollecting, that the right hon. Baronet was one of the individuals who most unsparingly opposed every clause. [Sir *Edward Knatchbull*—"I was not a Member of that Parliament at all."] Though the right hon. Baronet (Knatchbull) was not in the Parliament which carried the Reform Bill, he was, in every thing that related to it, most decidedly opposed to it. Although he was, he supposed, mistaken in saying, that the right hon. Baronet exactly voted on every clause, still, that he was opposed to the Bill was known to the public at large. He had opposed the measure as a whole, and, therefore, might be fairly considered as having opposed every part of it. It, perhaps, scarcely became one whose Parliamentary experience had been as short as his, to animadvert with so much freedom on the conduct of a Gentleman who had in so many successive Parliaments occupied a seat in that House, but he hoped he might be allowed to say, that the right hon. Baronet was second to no man in his opposition to Catholic Emancipation, to Parliamentary Reform, and to every measure of that class and character. It was, therefore, no matter of surprise that he should not have suspected the accuracy of the report, and had given further currency to that which he saw published, and which he had no reason to believe inconsistent with the general tone of the right hon. Baronet's sentiments. Having made these few observations, for the purpose of setting himself right with the House, he wished merely to add, that in quoting the passage referred to from the speech of the right hon. Baronet, as he found it reported, he did not accompany it with any remarks reflecting in the least degree upon the personal character of the right hon. Baronet, for whom, individually, he entertained the highest respect.

Sir *Edward Knatchbull* repeated, that he had never made use of the expressions attributed to him. He had only to add, that he could not be held responsible for reports in the newspapers; he had referred to the particular statement to which the right hon. Baronet objected for the reasons he had already assigned; and having, as he trusted, set himself right with the House, he would not trouble them any further.

Lord *Ebrington:* The right hon. Baronet the Member for Kent (Sir Edward Knatchbull) had complained that too much of the time of the House was taken up in the discussion of personal matters. He did not think that the right hon. Baronet had any right to attribute the practice of entering into those discussions exclusively to the Opposition side of the House; not only in the course of the present Session, but during the three last years, when his hon. Friends now on that side of the House sat on the opposite benches, the system of crimination and recrimination had been carried to a greater extent by the hon. Gentlemen on the opposite side than it had been on the present occasion. If the right hon. Baronet had any reason to complain of the practice on the present occasion, his complaints should be brought against his right hon. Friend, the First Lord of the Treasury, who had been the first to bring his name forward. He did not believe that any Gentleman, on the opposite side of the House, could think that the character of Lord Grey could suffer in any respect from anything which had been alluded to that evening; and he might add, that it was as evident that the character of the right hon. Baronet (Sir Edward Knatchbull) stood equally clear. The right hon. Baronet had said, that in declining office he had wished the noble Earl in question success in the formation of his Government, and in the prosecution of his plans of Reform [Sir *Edward Knatchbull:* "No."] It appeared to him, however, that with that good wish the right hon. Baronet had taken his leave of Earl Grey; for his subsequent conduct in Parliament certainly evinced that he had begun his hostility to that noble Earl's measures. With reference to the subject more immediately under discussion, he begged, to say, that feeling, as he did, highly anxious for the progress of that liberal foreign policy which the late Government had pursued, and which he had understood it to be the professed intention of the present Government to carry out, feeling, as he did, that if any substantial change were effected in our foreign policy by the present Government, it could not fail to be strongly detrimental to the interests of the country—he could not but contemplate, with feelings of great apprehension, the moral effect which would attend the appointment in question, if, in spite of what had taken place in that House, and in spite of what would, he trusted, still further take place in a more direct and positive form if necessary, it should be the intention of his Majesty's Ministers to persevere in it. "We have been told," continued the noble Lord, that no specific charges have been brought against Lord Londonderry. I do not stand here to say anything personally disrespectful towards him, or in any way affecting his private character; but, I will say this, and I say it without the fear of contradiction, that there is no individual in this country that ever has been employed in the diplomatic service, whose appointment to this embassy could give such general dissatisfaction at home, or would be received by the friends of liberal principles abroad with such apprehension and dismay. And it is on this ground that I feel it a duty which I owe to the cause of those principles, and to the constituents whom I represent, and to the people of England at large, whose feelings I am quite sure will go along with those expressed on this side of the House, from one end of the country to the other, to express my opinion decidedly against such an appointment."

Lord *Dudley Stuart* did not intend to enter into the personal discussion which had been raised, but merely to offer a few observations on the more immediate subject of the discussion—the appointment of the Marquess of Londonderry to the embassy to Russia. Of that noble Lord, in his private capacity, he knew nothing, and had no complaint to make; but he thought that it was impossible not to consider his appointment to that Embassy, as the representative of this country in Russia, as exceedingly unfortunate. He believed, that the appointment had given satisfaction to no one throughout the country, except those who were the uncompromising and inveterate enemies of the present Administration. He was sure, that there were many Gentlemen opposite, and many persons out of doors, who approved of the principles of the present Ministers, and who wished to see them continue in office, who yet deplored that appointment, considering it one of the most unfortunate which the present Ministers had made. If he were one of those inveterate enemies of the Ministry who wished, at all hazards, to turn them out of their places, so far from lamenting the appointment, he should rejoice in it. He was delighted to find that the right hon. Baronet the Chancellor of the Exchequer was making efforts to get rid of the expressions attributed to Lord Londonderry in reference to the Poles; those expressions told the House and the country, that the noble Lord who used them considered those unhappy men to have acted the part of rebels. They were not rebels, the House knew and felt it—the country knew and felt it—every man who called himself an Englishman knew and felt it. What was their conduct? A most determined resistance to a most atrocious attempt to put down the liberties of the country, and to destroy them ultimately; and that, too, in the face of treaties contracted with us. It had been said, by a celebrated writer — and one whose leaning was rather to Tory than Whig principles—that the conduct of the Poles, in defending themselves against the oppression which had threatened them, was not only justifiable, but their highest duty. If we ourselves had been placed in the same situation, with our country's rights and liberties, and independence, and very existence as a nation at stake, should we have pursued a different line of conduct from that of the unhappy, but heroic Poles? He had noticed with pleasure when the right hon. Baronet, the Chancellor of the Exchequer first, spoke, that he avoided with care telling the House that the appointment of Lord Londonderry had been really made; and until the right hon. Baronet afterwards declared, on being pressed, that he would not advise it to be recalled, he had hoped that the Government might reconsider it. He now heard of it with deep regret—he must say, indeed, with astonishment; it appeared to him that his Majesty's Ministers were labouring under—he knew not what kind of unfortunate inspiration when they made an appointment so discreditable to themselves and one so little popular with the persons of all political opinions throughout the country. Could his Majesty's Ministers in their whole ranks; in the whole phalanx of Conservatives, of all shades of opinions by whom they were surrounded—could they find no man to send to St. Petersburgh, except a man entertaining the particular opinions which Lord Londonderry held? And which were known to be so unfriendly to the unhappy Poles? He believed, that the right hon. Baronet had said, that the expressions in question were not to be found in *Hansard's Debates* although they were quoted from another work as having been used; to him (Lord Dudley Stuart) that was no matter of surprise, as it was well known that the speeches were not always given at the same length in *Hansard's Debates* as in *The Mirror of Parliament*. He had heard the right hon. Baronet with pleasure when he protested against its being supposed that by the appointment of any specific individual, the Government was bound to pursue an unjust and illiberal policy. It was said, also, that Lord Londonderry must act according to his instructions. He hoped that those instructions would impose on him duties different from those which it might be supposed, from his known opinions, he would otherwise be inclined to discharge: he hoped that the Minister of this country at the Court of St. Petersburgh would be instructed to protest continually, and in the most energetic terms against the horrible oppression which was grinding Poland to the dust. They had all heard of the atrocities which were now being practised towards the natives of that unfortunate country—the sending, for instance, the unhappy Polish children to the wilds of Siberia. He trusted that the statements which recounted these barbarities were exaggerated; but it was too true, he feared, that the Russians continued their horrible cruelties from day to day, in defiance of the amnesties which had been promulgated—just in the spirit of the answer which had been given by general Paskevitch to an unhappy refugee who had pleaded the amnesty on his own behalf, "The amnesty is for Europe—Siberia for you." In the official Gazette of Warsaw might be seen advertisements calling on all those who were willing, to send in tenders for contracts for transporting the unhappy natives of Poland to Siberia; and all these things were enacted in the face of treaties, in spite and in derision of engagements entered into with us. The only conclusion which could be drawn from the circumstance of our not having interfered was, that we were afraid of Russia; for what would have been our conduct if any smaller State had so acted?—if, for instance, Holland had acted towards Belgium, or Spain towards Portugal, in such a manner as to set at defiance engagements which had been contracted with us? Did any man suppose that we should have quietly rested and pocketed the affront? There had been, indeed, as was remarked, an opportunity in which, without shedding one drop of blood, the liberties of Poland might have been saved; that opportunity was now gone—it might not again return; but still we could protect, and we ought to do so. Our Ambassador ought continually to renew his appeals to the Russian Government; our honour required it — our interest required it—humanity called aloud for it. He hoped that all the papers necessary to place the House in possession of the requisite information on this subject would be laid before them. It was clear that Russia was exerting every effort to aggrandize herself, and that we were supinely allowing her to act as she pleased, waiting only till she had taken possession of Constantinople and the Dardanelles; in other words, till it would be too late. The right hon. Baronet had alluded, in his defence, of Lord Londonderry, to the great military services of that noble individual. He (Lord D. Stuart) did not impugn his military conduct; all he wished was, that the noble Marquess had been called on to go to Russia in a military, instead of a diplomatic capacity. It was imperatively necessary that something should be done: if we allowed Russia to proceed in her present policy, we should some day be forced to enter under disadvantageous circumstances into that war, which now we might prevent by only a slight demonstration. The moral power of this country was immense; she had only to express decidedly her will, and she would see Russia—that power which was so much talked of, but which was so intrinsically weak—quail at her firm attitude.

Colonel *Evans* would detain the House but a very few minutes. The right hon. Baronet the Chancellor of the Exchequer, if he had rightly understood him, had admitted that one tangible accusation had been brought forward against the noble Marquess, that the noble Marquess had expressed himself adverse to the Poles and to their rights, which this country had formally acknowledged. He (Colonel Evans) had the vanity to hope that he could bring forward other accusations equally tangible, and of a similar character. If these could be made good, he hoped that his Majesty's Ministers might be brought to retract their determination to send out the noble Marquess. He would pledge himself, that there were many other accusations of a similar nature which could be substantiated against that noble Lord. If that noble Lord should in his place in Parliament, not only state opinions, but for two or three years embrace a course of policy in a variety of speeches, he saw no grounds for giving him any indulgence on the score of misrepresentation or inaccuracy of report. This appointment was another instance of the violent contrast between the acts and the professions of Ministers. If any part of the Speech from the Throne were explicit, it was that which professed to follow up the policy of the late Ministers with respect to foreign States. This policy was intimately connected with the establishment of two of the Governments in the south of Europe, and yet the noble Lord had denounced as illegitimate all the Sovereigns of the South of Europe with whom England was in alliance. The noble Lord had declared their rights to the Throne to be invalid, notwithstanding those rights had been formally recognised by the British Government. The noble Lord had spoken in derision of the rights of the Sovereigns of France, Belgium, Spain, and Portugal. He had declared, that the usurper, the traitor, Don Carlos, was the real Sovereign of Spain, and that the claims of the Queen of Spain were invalid, and ought not to be supported, and yet this was the man who was to follow up the policy which reflected so much honour on the late Administration. Who did not recollect the Holy Alliance? It was not much to the credit of the right hon. Baronet, Sir Robert Peel, that he had ever acceded to that Alliance, but he even had latterly seen the necessity of withdrawing from it. The Quadripartite Treaty had afforded him the means of doing so, and the Speech from the Throne had not only professed an adhesion to that Treaty, but had taken credit for having formed a supplement to it. This had appeared as a proof that Ministers were not only professing, but acting up to their professions, and now they were sending out an Ambassador who had denounced the Treaty over and over again. This was tantamount to a declaration of war against the people, or to an exposure of an utter infidelity on the part of Government to their engagements. He hoped that Ministers would not persevere in the appointment.

Mr. *Henry Lytton Bulwer* observed, that if it were important for the House to exercise an active superintendence over the domestic affairs of the country, it was doubly necessary that they should watch vigilantly over everything connected with its foreign policy and relations. Their vigilance was especially called for, in reference to the present case: for the question now under discussion acquired a peculiar interest and importance from the very momentous nature of the affairs which were to be transacted in Russia. Let the House contrast the conduct of Russia with the conduct of this country. They found Russia sending there, to represent and watch over her interests, one of the ablest Ministers which she possessed, Count Pozzo di Borgo. It was remarkable that for the last two or three years, we had had no Ambassador at any place where important business was to be transacted; and now, at last, a Curtius was found who was to be thrown into this diplomatic gulf. He would only say, that the appointment of Lord Londonderry must lead the public to believe that Ambassadors were sent to foreign Courts, not for the service of this country, but for the service which their salaries rendered to those individuals.

Mr. *Ewart* said, that it was proper on occasions to recollect the sayings of great men, and he thought the present an appropriate opportunity of quoting the text of "measures not men," which the right hon. Baronet had laid down even in opposition to the leading article of the *Times*, which proved its devotion to the cause of freedom by its support of the right hon. Baronet's Government. He did not think it was necessary to make any graver charge against the noble Marquess who was the subject of that night's discussion, than that which had been admitted by the right hon. Baronet, namely, his opposition to the rights and interests of Poland. He looked upon the letter of Mr. Canning to be nothing more than a mere common-place compliment, and of no value as a set off against the condemnation pronounced by Lord Liverpool. Sir Henry Wotton defined an Ambassador to be *Vir bonus peregre missus ad mentiendum republicæ causa.* This, however, was not the time when the country should be represented in an inefficient manner, and an Ambassador now ought to be *vir bonus, peregre missus, ad veritatem dicendam libertatis causâ.* He made no reflections on the character of the noble Marquess, but knowing his political sentiments he thought the country would be eternally disgraced were the noble Marquess sent to St. Petersburgh.

Mr. *Sheil* said, that, in order to meet the wishes of the House, as he understood from the right hon. Baronet that the appointment of the noble Marquess had not been as yet completed, and, therefore, that the document for which he had moved was not in a state to be laid before the House, he should withdraw his Motion, satisfied that after the discussion of that night the noble Marquess himself would, in compliance with the feeling of the country, resign at once the appointment to which he had been named.

The Motion was withdrawn.

SUPPLY—NAVY ESTIMATES.] The House having resolved itself into a Committee of Supply,

Lord *Ashley* rose for the purpose of proposing the first vote. It had fallen to his lot to bring under the consideration of the House, the Navy Estimates for the ensuing year; and in doing so, he felt that he stood peculiarly in need of the indulgence of the House; for having been recently appointed to the office which he had the honour to hold, he could not obtain that assistance and advice from his colleagues, which those placed in similar situations might easily procure. In bringing this subject under the consideration of the House, he had adopted the course which had been taken by his predecessors, and divided the estimates for the ensuing year under three great heads; namely 1. the Effective Service; 2. Non-effective Service; 3. Service of other Departments of Government. He might, he hoped, be permitted in the first place, to observe, that there would be 232,000*l.* less to be asked for in 1835-6, than in 1834-5. He did not mean to ground upon this reduction any boast that the present Government was more economical in this department than that which had preceded it, because he was satisfied that had the right hon. Baronet, the Member for Cumberland, remained in office, he would have had it in his power to call the attention of the House to a diminution in the expenditure of this department as great as that which he then brought under their notice. The present economical management of this department was, he was perfectly willing to admit, the result of a system which had commenced under the Duke of Wellington, and which had been followed up most successfully by the right hon. Baronet the Member for Cumberland, who had introduced a spirit of economy into every branch of this part of the public service, and who, at the time of his quitting office, had left that department over which he had presided, in the most effective state. The diminution, however, which he had announced, was, he thought, the best answer which could be returned to those who maintained, that the return of Conservatives to power would be attended by the return of the system of unjust patronage and sinecures. With respect to the first great head, namely, the Effective Service, he had to inform the House that there was a reduction of 2,000 men of full wages, in 1835-36, compared with those employed in 1834-35; but in consequence of the success which had attended similar experiments in former years, 1,000 boys were to be added to the Effective Service. As, however, 1,000 boys were only equal to 500 men in wages, the nett reduction was equal to 1,500 men in wages. The next point to which he would direct the attention of the House was the item which referred to provisions, for which a smaller sum would be required for the ensuing year than that which was expended in the last, by 56,736*l.* In order to show the diminution in capital expended on provisions which had taken place since the year 1830, he should submit the following items:—In the year 1830, the value of stock of provisions, &c. in hand

was - - - -	£422,517	16	6
In the year 1834, value of same -	255,651	1	3
Difference - - -	166,866	15	3
In 1830, vote for provisions, &c.	£603,200	0	0
In 1835-36, vote for ditto. - -	339,825	0	0

With respect to the stores and repairs he had to announce that the estimates on this head would be less for the ensuing year by 60,277*l.*

In 1834-35 there was wanting to complete the full establishment of stores -	£583,360	0	0
Insertion in the estimates for that year - - -	450,050	0	0
Difference - - -	£133,270	0	0

This difference was the sum less than the amount which was required to complete the establishment.

In 1835-36 there was wanting to complete the establishment - - -	£428,550	0	0
Inserted in the estimate for this year (1835-36) - - -	363,130	0	0
Difference - - -	£65,420	0	0

This would show that a spirit of economy had prevailed in every part of the establishment.

In order to show that there was an increased stock with a diminished expenditure, he proceeded to say that there were in store, timber eight per cent beyond the establishment; cordage, fifty-three per cent, ditto, ditto; hemp equal (full establishment in store); spars, 133 per cent beyond the establishment.

Expenditure per cent on Stock.

In	1829,	1830,	1831,	1832,	1833,	1834.	
Per cent.	42	31	20	24	19	17	On Timber,
,,	34	40	33	22	17	28	Cordage & Hemp,
,,	12	12	12	8	5		Spars, Canvas & Sails.

There was also a diminution of 28,269*l.* on new works, medical stores, and miscellaneous service, upon the estimate for the ensuing compared with that of the last year.

The second great head to which he intended to call the attention of the House, was that which embraced the non-effective. Under this head there was a diminution—

For Half-pay of . . .	£28,257
Military pensions . .	653
Civil pensions & allowances	10,633
	£107,387

This, he should mention, was the actual reduction in the vote for half-pay, including retired pay, since 1828. He need scarcely observe that this was a branch of expenditure which, in consequence of lives dropping off, must be diminishing every year.

The third great head related to the service of other departments:—

For army and ordnance departments and convict service, there was a diminution of 25,475*l.*

In convict service there was a reduction of 14,810*l.*, and this arose from the diminished cost in the transport of convicts; for 1830, the transport of a convict per head was 12*l.* 6*s.* 9*d.*; in 1834, 7*l.* 6*s.* 2*d.*

There was then a saving in last year, by victualling convict ships for six instead of eight months, of 15,181*l.*

He would next proceed to prove, that

there was a larger number of men kept up now than in former years, with a diminished expenditure.

The total of effective service was—

For 1835-36	. 26,500 men .	£2,416,300
1817	. 22,944 „ .	5,327,306
1823	. 26,314 „ .	3,992,735

So that to maintain 22,944 men in 1817, required 2,911,006*l.* more than 26,500 men in 1835-36; and 1,576,435*l.* more to maintain the same number in 1823 than in 1835-36. As compared with still more remote periods, the House would observe that less was demanded for effective service, in the present estimates, for 1835-36, than was expended in 1792, by 426,383*l.* There was expended for effective service, in 1792, for 17,360 men, 3,016,703*l.* In 1835-36, 2,590,320*l.* was demanded for effective service, including credits for old stores, for 26,500 men. Thus there was 426,383*l.* less for 26,500 men in 1835-6, than for 17,360 men in 1792.

In order to show that business had increased in the civil departments, he should next inform the House of the average of letters received at Whitehall-office annually.

In 1792 . . .	3,526
1833 . . .	31,330
Number of letters dispatched—	
1792 . . .	8,242
1833 . . .	47,866

In the year 1834, the number of letters received at Somerset-house (mostly accompanied by a mass of documents) amounted to no fewer than 2,453; while in 1792 the number was not a tenth part of that amount. The total number of letters received by the various civil departments of the navy in 1834, was 113,783. The amount of pensions, &c., in 1792, was only 218,632*l.*; while in 1835 (with a proportionate number of claimants) the amount was 1,561,423*l.* In 1792 the payments of the pensions were half-yearly; at present they were quarterly; in 1792 the artificers' wages also were paid only quarterly; at present they were paid weekly, circumstances which considerably increased the labour of the various offices; and yet in 1792, the number of clerks was 260, while at present the number was at most 210, and that to do tenfold the business. He would not detain the Committee any longer, but was prepared to give any further explanations which might be required; trusting he had shown that there was every disposition on the part of his Majesty's Government to carry economy as far as was wise and practicable into this department of the public service. The noble Lord concluded by moving his first resolution; namely, "That it is expedient that the number of 26,500 men, including 4,500 Royal Marines and 2,000 boys, be employed in his Majesty's sea service, for the year ending 31st March, 1836."

Mr. *Labouchere* felt disposed to give credit to the present Government for the reductions they had made, and for a disposition to economy; but his noble Friend had told them, that in the reductions of the present year, they were only following up the plans that had been adopted by the late Administration. He must add, that though he gave the Government of the Duke of Wellington credit for having made many reductions, and for a disposition to make more, had he continued in office, he could not give him credit for his reductions in this particular department of the navy. By the reductions made, and the economical system pursued by his right hon. Friend, the Member for Cumberland, 1,200,000*l.* had been reduced in that department, and the navy left in a more effective state than that in which he had found it. He knew there were some who objected to such extensive reductions, and who urged that the arsenals had been left denuded, and the stores deficient; but it, no doubt, must be a consolation to those who had made such objections, and to a noble Lord, in another place, to find, that so far from the navy in any of its departments having been left defective, the very first vote which the present Government produced to the House was lower than the estimate of the last year. In fact, the present Administration had found that no additional stores were wanted. He would not enter into any details of the estimates at present, as he did not intend to offer any objection to the vote. He had no objection to the number of boys kept up in the service, for he knew that these grew up the best men in the service, and that their number tended to diminish the necessity of impressment, a subject to which he was happy to know that his right hon. Friend (Sir James Graham) was still directing his attention. With respect to the number of clerks at the Admiralty, and at Somerset House, he could truly say, from personal experience, that they worked in a manner which often gave him great pain, and so far from wishing their number diminished, he would not be undisposed to increase them.

Sir *Edward Codrington* complained that justice was not done to that meritorious class of men, the pursers. Their half-pay was 3*s.* or 4*s.* a-day, and no increase had lately been made in it, as had been expected, in consequence of an arrangement formerly entered into. They might ultimately derive some advantage from it, but they had none at present. These useful men ought, however, to have some immediate advantage from that arrangement. Men who were injured in the naval service were not so well treated as those who suffered in the land service. Would the House believe that if a man lost an eye, there was no compensation for him, although it had formerly been considered tantamount to the loss of a limb? He recommended one man to the Admiralty under these circumstances. They gave him at first 9*l.*, then 4*l.*, and the third time he applied he could obtain nothing. Clerks in the civil departments were better paid than officers, no matter what their length of service.

Captain *Berkeley* said, that when he attended the Board, he always found that the loss of an eye in battle was always considered as equivalent to the loss of a limb, and had an allowance made for it accordingly.

Sir *Edward Codrington* had applied to Sir George Cockburn in one case of that kind, and met with a refusal.

Mr. *Hume* said, that in 1818, when there were only 20,000 men kept up, the expense was 6,521,000*l.*, and he strongly urged the great extravagance of the estimates of that day. He had objected to the great expense of the dock-yards, and other departments. At that time most of his propositions had been rejected as unreasonable, but they had all been adopted since, and the public had been largely the gainer by them. He must now protest against the notion, that the present scale of the estimates was to be considered as the *minimum*. The noble Lord had made a comparison between the amount of the estimates and the charges in 1792, and those of the present year, but the comparison did not hold good in many points. He wished to know from the noble Lord, whether the number of men he now took on the estimate, were actually borne on the books. [Lord *Ashley* said, that there might be a difference in the early part of the year, but at the end of the year the two would be equal.] He should be glad to know, why a larger establishment was kept up now, than in former years of peace? What circumstances were there in the state of Europe at the present moment, which called for a large naval establishment at present? It might be thought that these were the lowest estimates of any year, but there had been many lower. In 1817, the number of men voted for the service of the navy was only 19,000; in 1818, 20,000; in 1819, 20,000; in 1820, 22,000; in 1821, 22,000; in 1822, 21,000. What, he would again ask, was there in the state of Europe, to require 10,000 men more now than were required in 1792? He hoped they should hear some explanation on this head, from the right hon. Baronet. There had been circumstances during the struggles in Greece, and the South American States, during which an increased naval force on our part might have been required, but none of those circumstances existed in the present day. He should propose that a reduction should be made in the number of men to 20,000, or, in other words, that the number should be brought to that in which it stood in the year 1818 or 1819. He would put it to the right hon. Baronet at the head of the Government, to state upon what grounds Great Britain should be called upon to keep up such a force of seamen and marines in the present state of Europe; for, although there was, as he was ready to admit, a reduction of 232,000*l.* in the present estimates upon those of last year, he still believed it to be in the power of an economical Administration to reduce them 1,000,000*l.* more. Although the expense had been reduced, the House had a right to expect that some information should be afforded why the number of men required, still exceeded the estimates both of the years 1792, and 1818 or 1819.

The *Chancellor of the Exchequer* said, that the hon. Member for Middlesex had, in the course of his observations that evening, remarked that when once a given number of men was submitted, there was never any reduction. The hon. Gentleman seemed to forget that 26,500 men were now only demanded, whereas formerly 32,000 was the fixed number. The hon. Member asked him to prove that which, in his judgment, was incapable of demonstration; he alluded to the number of men necessary for the public service in this department. He would appeal to those who on the present occasion, could have no prejudice upon the subject—to those formerly connected with the Board of Admiralty—to the right hon. Gentleman, the Member for Cumberland, who was entitled to the fullest credit for the reductions he had effected during the time he was at the head of this department of the State, who was indisputably an impartial witness—indeed, he would appeal to all hon. Members who took a comprehensive view of the subject, and knowing the demands made for protection by the commercial interest, whether it would be safe or prudent to make a further reduction of 6,500 men below the estimates of the past years. The hon. Gentleman opposite (Mr. Labouchere) was well acquainted with the demands which had been made upon the public service, in respect to commercial protection, and to him with all the others he had mentioned, he would renew his appeal, whether or not it would be consistent with the interests of the country to make such a further reduction in the number of seamen. It had been asked by the hon. Gentleman, why the present Government should keep up a greater naval force, than was required in the year 1792. He would ask the hon. Member whether the difference of circumstances existing in the years 1792 and 1834, did not justify the maintenance of a fleet in the Mediterranean. He would again take the case of the West-India station, a station affected by the experiment made recently for the abolition of slavery, and would it be denied, that in this quarter it was, to say the least, useful to maintain a good force, to give effect to an experiment, not tried in 1792, interesting to the best feeling of humanity. Such a state of things did not exist in 1792, the favourite year to which the hon. Member for Middlesex was wont to allude. In the South American States, perhaps, the hon. Member would not say, that there was greater danger from piracy than in 1792; but if the hon. Member referred to the commercial interests of the country, he would find that demands had been made for protection against piracy; and, that if those demands were neglected, an ultimate demand would be made to Parliament for assistance. It appeared to him that it was not so much necessary for England to maintain her supreme position, as an equality with other States of Europe; and he left it to those hon. Gentlemen to whom he had referred, to determine whether or not, they thought it would be safe for his Majesty's Government to propose a further reduction.

Mr. *Hume* remarked, that there were no grounds for stating that in former years the commercial interests of this country had been unprotected. He contended on the authority of Returns in his hand, that during the last five years the commerce of Great Britain had been duly protected with an average number of men in the naval service of 20,600 men, marines included. He was at a loss to understand why one ship more should be required in the Mediterranean than in the year 1792, and why, therefore, the recommendation of the Committee appointed in 1792 upon the Navy Estimates should be departed from. There were no peculiar circumstances which could have required alteration, neither was there a necessity for any additional protection to trade. If, however, the number of men in the service was not to be reduced, at all events an end ought to be put to the building of any more ships till the ordinary was reduced. Many noble ships of 130 and 120 guns were rotting in our harbours; and yet new vessels were on the stocks. If the right hon. Baronet at the head of the Government would take a lesson, he would advise him to look at the estimates of the year 1792, when he would find that the expenses of repairing ships or building new vessels were accounted for to the very pound on every ship. In this respect he could not but complain of the manner in which information was afforded to the House, and though much credit had been claimed for the reduction which had taken place in these estimates, yet he must say that, in their details, they were less clear than any others laid before the House. He especially referred to the manner in which the marine service was dealt with. The number of field officers, captains, lieutenants, and commissioned officers, ought to be specified, as in the army. Such was not the case; and in conclusion he would move, as an amendment, that the number of men be reduced to 20,500.

The Amendment having been put,

Sir *James Graham* said, that having had the honour of being appealed to by the right hon. Baronet (the Chancellor of the

Exchequer) to state his opinion as to the number of men necessary for the service, and seeing that the hon. Member for Middlesex still adhered to his favourite standard year, 1792, he would make a few remarks, both in answer to the appeal of the right hon. Baronet and to the opinions of the hon. Member. The hon. Member for Middlesex had drawn a comparison between the expenditure of his favourite year, 1792, and the present estimates, and the whole of his speech had been founded on the fallacy of adopting that year as a guide for the present expenditure. The hon. Member had also stated, that the building of ships should cease, but he ought to remember that ships were liable to decay, and it was necessary either to repair or to rebuild them. This question had been triumphantly answered from time to time, and it was unnecessary for him, at that late hour, to enter into details. It was difficult for gentlemen on his side of the House, who possessed experience, to suit the different opinions and tastes of the hon. Gentlemen opposite; but so far from complaining that the proposed reduction of the naval estimates was not sufficient, he must express his regret that, at this juncture, any reduction whatever had taken place. Whether he looked to domestic or foreign policy—of the latter he had no official information of course—he steadily retained the opinion that any reduction was inexpedient. As regarded domestic policy, if he referred to former Parliaments he knew no point on which the people of this country entertained a greater anxiety than for efficient means, without reference to expense, for the avoidance of the necessity of impressment. Without the proposed means of instruction and the maintenance of the number of boys, it would be impossible on any emergency of a war to collect such a naval force as would render impressment unnecessary. In his judgment, nothing could be more judicious than the proposition for adding to the number of boys engaged in the fleet; they became attached to the service, and would never leave it for any engagement in a merchant's employ. This afforded an effectual means of preventing impressment; but, at the same time, in proportion to their number, men, as a means of instruction, must also be engaged. He had not the professional knowledge possessed by hon. Members opposite; but he felt satisfied that, to maintain and instruct the number of boys proposed, namely 2,000, the number of seamen set forth in the estimates was not too great. An hon. and gallant Gentleman opposite was well acquainted with the advantages which the service had already derived from an experimental squadron for the instruction of beginners, the evolution of which required to be under the control of practical seamen. These were merely considerations of domestic policy. The question with reference to foreign nations was one which the executive Government would be best able to answer. But he could not conceal from himself the fact, that many large and effective fleets were maintained by foreign powers. He put it to the good sense of gentlemen present, whether it was proper, if foreign power were in that state, to incur the risk of reducing the amount of the naval force of this country to the amount proposed. He spoke not from official documents, but from public notoriety, when he stated that Russia had a fleet of twenty-seven ships in the Baltic, and twelve ships in the Black sea. He would ask the House, what proportion the number of men, included in the vote, bore to the crews necessary to man such a fleet.

Mr. *Labouchere* justified the increase of the marines, inasmuch as it required some time to discipline a body of men in that service—a service which he thought it was sound policy to maintain efficient. The hon. Member for Middlesex had referred to the subject of ships in ordinary, ship-building and repairs; the subject was one which had long been under the consideration of the noble Lord, the late Chancellor of the Exchequer, and the impression on the noble Lord's mind was, that some great improvements were capable of adoption. He hoped that the attention of the Admiralty would be drawn to this important subject, and that, on that head, in future some great reductions in the estimates would be made, but made gradually.

Dr. *Bowring* said, that he had intended to suggest an improvement in the form of those estimates; but, as he had a specific Motion on the subject, he would not at present enter into any long details. He considered that great improvement was made in the form of the present estimate, for which the right hon. Baronet, the Member for Cumberland, was to be thanked. Still the estimate was not in such a shape as to enable the House to judge of the whole calculation; in some parts of it there were sufficient details, in other parts there were none, and in several parts there were so many incongruities that hon. Gentlemen could not clearly see their way. He knew that a system might be adopted that would put an end to the faults of the present one. He saw capital vices running through the whole of the present estimate; for instance, the department of expenditure was often made the department of receipt. There was another department of which by the present estimate, no judgment could be formed; he meant the naval stores, &c. It was necessary to know the amount of stock of various articles in the stores, in order to be able to form a judgment thereupon. At that late hour of the night he would not trouble the House with any further observations, but with respect to some parts of the estimates, according as they were submitted to the House, he would with great humility make some remarks, with the view of improving the mode of drawing them up for the future.

Mr. *George F. Young* did not think that his hon. Friend (Mr. Hume) seriously intended to divide on the Question of the number of men; it would be more consonant to enter on the other topics before they came again under consideration. He was persuaded that irregularities connected with the civil department of the navy would never be remedied without a Committee of this House, or a Committee of Inquiry.

Sir *Edward Codrington* was understood to say, that, to his knowledge, in the experimental squadron to which the right hon. Baronet (Sir J. Graham) had alluded, there were officers who had never acted in a fleet before, and were entirely unacquainted with its arrangements and evolutions. He was favourable to the maintenance of the marines, as they rendered effective service both on sea and on shore.

Lord *Ashley* was understood to observe, in reference to the observation of Mr. Labouchere, that the Board of Admiralty was continually receiving complaints from admirals on the different stations in respect to the insufficiency of ships, that it was therefore necessary to keep up the supply of ships by building, and Captain Symonds's plan had been adopted, and had been the admiration of all who had seen the vessels built on that plan. When he mentioned that the whole experimental squadron off Portsmouth had been distanced by an American ship, it was necessary to adopt continuous experiments, to provide against the emergency of a war.

Mr. *George F. Young* had in his possession a drawing of the ship Vernon, published fifty-four years ago, the draught of which had been submitted to the Admiralty of the day and rejected. Upon this fact, and upon the opinion of scientific men, the plan of Captain Symonds was not new; and as to its efficiency, the Tartarus and the Blazer steam-ships, constructed on that principle, had entirely failed. He wished to ask the noble Lord how it was, as there were to be 2,000 men voted less than there were last year, the sums charged were not reduced in the same proportion, but showed an excess for this year of £11,900?

Lord *Ashley* said that, if the hon. Gentleman were to work the question out by a rule-of-three sum, he would obtain the result that Government had taken 10,000*l.* more in the estimates of this year than it had taken in the estimates of last year on this particular head of charge. The reason was, that a large ship was less expensive than a small one; for instance, 1,000 men on board of a 120-gun ship would be less expensive than the same number of men on board of a seventy-four, for there would be a less number of officers employed. Now, we had fewer first-rates employed this year than we had last, and this accounted for the increase in this portion of the estimates.

Sir *Samuel Whalley:* on this vote all the others depended. It was now more than half-past twelve o'clock at night, and if a wrong decision were then made upon this vote, how was it to be remedied hereafter? The right hon. Baronet ought to let this vote stand over to another night, as it formed the nucleus of almost every other vote in the navy estimates.

Mr. *Charles Buller* hoped that if his hon. Friend, the Member for Middlesex did not persist in this Amendment, he would persist in some Amendment, which would show that the Committee was in earnest in their desire to reduce the establishments. He had voted in a small minority with his hon. Friend on such an Amendment against the Whigs, when they were in office; and he hoped, that his hon. Friend would propose the same Amendment, that he might vote with him against the Tories, now that they were in office. His hon. Friend was bound to bring forward such an Amendment, in order to prove, that he had not been actuated formerly by party motives. As to the argument of the right hon. Baronet, the Member for Cumberland, that it was necessary to keep up this additional force of 2,000 boys to meet the public views on the subject of preventing impressment, he had only to say, that the employment of 2,000 additional boys would make no sensible impression in time of war. He suggested the propriety of reducing the estimate, not indeed to that of the year 1792, but to that of the years 1821 and 1822. Instead of his present Amendment, he recommended his hon. Friend to propose a reduction to a less amount of this estimate.

Mr. *Hume* said, that the more he heard this subject discussed, the more did he feel it to be his duty to move that the Chairman do now report progress, and ask leave to sit again. [*Cries of* "*Go on.*"] He would not go on. He did not choose to go on. Would the noble Lord answer him this question? On what principle did the noble Lord vote a sum of money to these men? Would the noble Lord tell him how many admirals, how many post-captains, how many colonels of marines, how many other officers of different ranks, were among them? If the noble Lord could not give him this information, which was given respecting the officers of the army in the estimates of every year, it was unfair to ask them to agree to this resolution at present.

The *Chancellor of the Exchequer* replied, that these estimates were prepared in the usual form. They had been in the hands of the hon. Member for Middlesex since Saturday last, and if the hon. Member really wanted any additional information respecting them, how was it that he had not moved for the production of that additional evidence at an earlier period of the week? He might have done so on Monday, or any day since—why had he not?

Mr. *Hume* said, that at present the estimates were drawn up in such a manner as to be perfectly unintelligible, and till they were rendered intelligible, he should call for such information as he thought requisite to elucidate them.

Admiral *Adam* agreed with his hon. Friend, the Member for Middlesex, in thinking that these estimates should be produced completely in detail.

Mr. *Warburton* thought, that if the noble Lord would pledge himself to submit the estimates in detail on the bringing up of the Report, the trouble of dividing the House on the present occasion might be avoided.

Mr. *Hume* said, that if the number of admirals, post-captains, &c., were given before the Report was brought up, and if he were thus secure of another opportunity of discussing this vote, he would for the present withdraw any further opposition.

Lord *Ashley* promised to give this return before the Report was brought up.

Amendment withdrawn and vote agreed to.

House resumed — Committee to sit again.

HOUSE OF LORDS,

Monday, March 16, 1834.

MINUTES.] Bills. Read a first time:—Newspaper Regulation.—Read a second time:—Contempt in Equity (Ireland); Property in Infants &c. (Ireland).

Petitions presented. By the Duke of GORDON and the Earls of ROSEBERY and ROSSLYN, from several Places,—for Additional Accommodation in Scotch Churches.

AMBASSADOR TO RUSSIA.] The Marquess of *Londonderry*, said—My Lords, in rising humbly to address your Lordships upon circumstances of a personal nature, I am aware that I ought first to claim your attention as a matter of indulgence, and that I am, perhaps, departing from the order of the regular course of the business of this House, in addressing you on a subject that is not properly before you; but referring to the votes of the House of Commons, which are now on the Table of your Lordships' House, it is impossible that you should be ignorant of what has taken place in the other House of Parliament, relating to the subject of the appointment of an Ambassador to the Court of Russia. Standing in the situation in which I do, I hope that your Lordships will allow me to say a few words in stating the course which his Majesty's Government has pursued with regard to my appointment, and the course which I have felt it my indispensable duty, since the discussion in the House of Commons, to take upon the subject. When Sir Robert Peel framed the arrangements to carry into effect the administration of the Government, he was pleased to say, that he had recommended to his Majesty to nominate me to the important duty of Ambassador to the Court of St. Petersburgh. I confess that I had never expected this at his hands—I never had enjoyed any private intimacy with him. At the same time that recommendation was accompanied by a letter from my noble Friend (the Duke of Wellington), in which he declared, that he not only acquiesced in the recommendation, but stated, that he believed the King's service would be benefitted by my acceptance of the office. I confess that I was gratified to find that my services were still deemed available for the public benefit; and when I considered that in the course of my humble career I had been associated with my noble Friend as his companion in arms, in nearly all the battles in the Peninsula, and that I had been also intimately acquainted with the Ministers of the different States of Europe, at Dresden, Vienna, and Berlin, and had been principally instrumental in the important arrangements at the battle of Leipsick, though I might not have the sagacity nor the prudence of some of the noble Lords who are now over against me, I did believe that I might conduct the business of the Embassy with benefit to the interests of the two countries, and in such a way as to cement the union between the two Crowns. Under these circumstances, I could not but embrace the offer thus made me, and accept the appointment so flattering to my feelings. I do not wish to go into any discussion at present on the subject. I am confident that there can be no personal charges against me. The matter has come upon me entirely without notice. I felt, however, so soon as I had read the report of that discussion in the House of Commons, that there was but one line for me, as a subject and a public servant, to pursue; and that, as I had had but one rule of conduct in the course of my life, which even those who are now my political enemies will admit, and but one object, which was to serve the King, and to serve him honestly, and to the best of my ability, so I could not on this occasion run any risk of embarrassing the public service. Situated as I now am, were I to depart from this country, after what has passed in the House of Commons, I should feel myself, as a representative of his Majesty, placed in a new, a false, and an improper situation. I should go, with the remarks and animadversions of one branch of the Legislature so strongly imprinted on me, that my efficiency must be impaired, and it would be impossible for me to fill the office to which I have been called with proper dignity and effect. It is on these grounds, standing, as I do, upon my sense of duty to my Sovereign, and not meaning to succumb to faction, insensible to the scoffs and scorn with which I have been so unjustly attacked—it is on these grounds, I say, that I stand before your Lordships, determined, upon no consideration whatever, to accept of that appointment which his Majesty has been graciously pleased to confer on me. I have felt it proper to take this decided course. I have done so entirely on the grounds which I have stated to your Lordships. I have had no communication directly or indirectly with the Government. I have neither sought advice, nor has advice been proffered. At other times I may have no difficulty in meeting these unfair, these unjust animadversions — some of which have been maliciously raked up after sixteen years have elapsed—raked up at a moment when it was impossible for the individual who was the object of them to meet them. I say nothing of the House of Commons; but let the Members of that House think what any one of them would feel—let them think, what any one of them would feel if he were placed in my situation. Would to God that I may be the only victim of such proceedings! To the Member of that House who originated the discussion I will not immediately allude, but to those who followed up the matter. Let some of them reflect what a Statesman may be reduced to, when one who has honestly and zealously done his duty in the public service and that Statesman is reduced to the painful situation in which I now stand—attacked and vilified, without being afforded the means of defence, and without being aware of the charges brought against me. The course which has been pursued, establishes a precedent against a humble individual like myself, which can never be consonant to the good of the public service, nor tend to the honour and welfare of the country. The noble Marquess concluded, by thanking their Lordships for the attention with which they had listened to him.

The Duke of *Wellington:* My Lords, notwithstanding what has occurred on a recent occasion, and notwithstanding that my noble Friend may not like to hear himself thus openly praised by me, I hope I may be permitted to say, that I consider myself responsible for this particular nomination. Having learnt that it would not be disagreeable to my noble Friend to be employed in the public service, I did concur in the recommendation, or rather I did recommend that he should be appointed Ambassador to St. Petersburgh. I made that recommendation founding it on my knowledge of my noble Friend for many years past,—on the great and important military services he has performed, and on the fitness he has proved himself possessed of for diplomatic employment, in the various diplomatic offices he filled for many years, more particularly at the Court of Vienna, where he performed most important services to the satisfaction of the Ministers who employed him, up to the last moment of his employment, and returned from the discharge of the office with the strongest marks of the approbation of the Secretary of State. I was aware, my Lords, of some of the peculiar talents of my noble Friend, for this particular office, and of the peculiar fitness for this particular diplomatic employment, he being a military officer of high rank in the service of this country, and of high reputation in the Russian army, and knew the peculiar advantages enjoyed by persons in such an Embassy from such circumstances. Under these circumstances I was justified, my Lords, in recommending my noble Friend, and I was glad to find that my right hon. Friend concurred in that recommendation, and that his Majesty approved thereof. To that I must be permitted to add, that the nomination upon this recommendation was determined on. Under these circumstances, it was with the greatest regret, I found that the nomination for this important duty was not approved of in another place; because it is in consequence of that disapproval that my noble Friend, with that delicacy of feeling which could not but be admired by all, has declined the office. Now, notwithstanding what has passed elsewhere, I feel it necessary to say a few words on a particular point, nearly connected with this subject. There can be no doubt, whatever, that there is, no part of the prerogative of the Crown so great or so important as that of sending Ambassadors to Foreign Courts; nor is there any branch of that prerogative which ought to be kept more inviolate. The Ministers of the Crown are responsible for those nominations. They are responsible for the instructions under which my noble Friend, or any other noble Lord so nominated, would be bound to act. They are, moreover, responsible for the proper performance of those duties (by the Ambassadors whom they select) to the other House of Parliament, and to the country at large. It is impossible, therefore, that the House of Commons could agree to a vote questioning such an appointment. It is impossible for me to believe, that the House of Commons would proceed so far as to interfere with this peculiar prerogative, and to say that a person nominated should not fill the situation; inasmuch as by so doing the House of Commons would not only take upon itself the nomination of the officer, and the direction of the particular duties which he was to discharge, but would also relieve the Minister from the constitutional responsibility of the appointment. I do not think that sentiments of such a description are general; and I cannot bring myself to believe that a vote, affirming such a violation of the Royal Prerogative, would have passed the House of Commons. In conclusion, I must say, that I think the country owes a debt of gratitude to my noble Friend for having, under all the circumstances, declined the office to which he had been nominated.

The Marquess of *Lansdowne:* My Lords, I do not wish to prolong the discussion, except in one particular. But, as an individual sitting in this House, I cannot allow the noble Earl (Earl Vane, Marquess of Londonderry) or any other person, to leave this House with the impression that the disapprobation expressed with regard to his appointment, arose from personal motives. I do not stand here to interpret other people's motives—I am not called on to do so—but I deny that any disapprobation expressed of the appointment of the noble Earl to any embassy in the present state of Europe, was necessarily connected with any personal motives whatever. Were they so, I should not stand here to explain them, and in no degree should I participate in them. But whatever were the motives of the different persons who concurred in expressing that opinion, I am anxious to be understood that that opinion —and I am bound to state the fact—that that opinion was not entertained without the greatest respect for the noble Earl personally, and for the consistency of his character, for I believe, that the greatest objection felt, was an objection to this appointment, the more marked and singular because it was the first appointment of the new Government, founded on the belief that all the opinions recently recorded and expressed by the noble Earl in this House and elsewhere, on the policy of the late Government, and on the present state of Europe, were opinions that he continued to feel as strongly as ever. It was, therefore, my Lords, anything but disrespect towards him, to suppose that with regard to the system of our foreign alliances—with regard to the state of Europe, as connected with Poland—with regard to the state of Europe, as connected with the illegitimate pretensions of certain pretenders to the thrones of Spain and Portugal—as connected with the close state of our relations and alliance with France, which it is essential for this country to continue, for the sake of the peace of Europe, and to which alliance the noble Earl has always declared himself alien and adverse—on all these points, my Lords, I say, it was from motives of respect towards the noble Earl—it was from a belief in the sincerity of his opinions—it was from a belief in the consistency of his conduct, that people would naturally be led to expect that in him they should find any thing but a zealous, a willing, and a consenting instrument, to carry into full effect that policy which I have not yet heard is to be changed, and in the continuance of which, I believe, rests every chance for the peace of Europe, and of the world. It is natural, therefore, my Lords, that on this subject great anxiety should have been felt by the public and should have been shared by the House of Commons. In other countries, the public have not the means of following the proceedings of your Lordships' House, and of the other House of Parliament, and of judging of the course which events are likely to take from what occurs in the debates in Parliament. I know it may be said, that looking to what has passed here and elsewhere, no surmises of intended changes of policy ought to have been made, that no part of the foreign policy of the late Government was likely to be altered, that nothing in the conduct of those who direct his Majesty's Councils has given any reason to cause it to be feared that, let the agents of the Government be who they may, the continuance of that policy would be in any danger. I know that such is the belief, such the hope, in this country, and it is founded on the proceedings, or rather, on the absence of the proceedings of the present Government, and on what has taken place in the two Houses of Parliament.—But it must be recollected that in other countries the same opportunity of following your debates, and judging from the turn of those debates, from what is said, and what is omitted to be said, does not exist. In other countries, and, above all, in the despotic Government of the north of Europe, it is from personal opinions of the individuals appointed, that conclusions are formed as to the intentions of the Government, and the objects it has in view. I cannot, therefore, but feel that, however honourable this appointment is for the person in whose favour it was bestowed, it must, to other countries, carry with it the appearance of the reverse of what it was hoped would be the policy of the present Government, and that it would therefore excite the jealousy, the apprehension, and the alarm of the people, not only abroad, but in this country, and that that being the case, I cannot wonder that it should be evinced in some mode or other in the other House of Parliament. I am sure that that House of Parliament will do well to consider how at any time it infringes on the King's prerogative; it will pause and deliberate—and in this instance it has shown every inclination to pause and deliberate before approaching a subject surrounded with considerations of so delicate a nature. But, if I think that the House of Commons ought not unnecessarily to express an opinion on the exercise of the King's prerogative in appointments of this description, I must say, at the same time, it is most important to that House, intrusted as the Members are with the finances of the country, bound, as they peculiarly are, to look to the peace of Europe, that they should anxiously, zealously, and carefully watch every movement of the Government which could possibly compromise that peace, or deviate from that system on which alone that peace is founded, and its durability can be maintained. I do not speak of others, but I state what appeared to me to be the sense of the objection taken the other night in the House of Commons to this appointment; and I do state, that it does not appear to me connected with any feeling of personal disrespect to the noble Earl (Earl

Vane), but is founded on the belief of his continuance, of his perseverance, in those opinions on our policy which he has always declared in this House and elsewhere, and from which I, as an individual, must say that I totally dissent. It is unnecessary for me to add, that both as respects the preservation of the constitution of the country, and with regard to the House of Commons itself, that House, I am persuaded, will not unnecessarily interfere in appointments of this description. With regard to the noble Earl himself, I think that, out of respect to himself, and to the public service, he has taken that course which best becomes the military reputation which we all admire, and of which we need not to be reminded, for it lives most fully in our recollection—that course which will best maintain the prerogatives of the Crown, and which has disposed of this question, and disposed of it in the way the most consistent with the interests of the public service.

The Duke of *Buckingham* was glad that in the course of this discussion there had been no appeal to personal feelings, except to such as were highly gratifying to the noble Marquess. The noble Marquess opposite (Lansdowne) had, however, put the Question on a constitutional doctrine on which he differed *toto cœlo* from the noble Marquess. Such doctrines were fit for a committee of public safety rather than for an English House of Legislature. He thought that freedom of speech belonged to both Houses of Parliament; he had seen the Speaker of the House of Commons come to the bar of that House to claim that privilege; but now it was represented that liberty of speech was to be made a reason for excluding an individual from a high and honourable appointment. Was that the doctrine of a constitutional Peer? The publication of what passed in their Lordships' House was a breach of privilege, and yet, on speeches uttered in that House were founded the objections to an individual holding an office to which he had been appointed. The noble Marquess who had last spoken, said distinctly that the opinions of the noble Marquess near him, were opposed to those of many other persons—was that a reason for holding him up as unfit for the office?

The Marquess of *Lansdowne:* The opinions were opposed to the course of policy which the Government had declared was intended to be pursued.

The Duke of *Buckingham:* Who were responsible for the policy to be pursued? The Government that appointed the Ambassador. The course of policy was the question for them to consider and determine; but it was now, for the first time, said that the noble Marquess was opposed to a certain line of policy, and, therefore, he was to be made the scape-goat, and the offence was to be visited on him and not on the Government that appointed him. With respect to the King's prerogative, this was the first time he had ever heard that either House of Parliament was to express an opinion on the nomination of any individual to an appointment of this kind. It would have been time enough for the House of Commons to have spoken when some act of the noble Marquess had justly called forth their censure, till some act had been done by him by which the peace of Europe might be disturbed. Where was that expression of opinion to be found that was to render the noble Marquess near him unfit to hold the office of Ambassador? It was said to be an expression used in Parliament. What, then, was the expression of a Member of one of the Houses of Parliament to affect the exercise of the prerogative of the Crown? The noble Marquess (Londonderry) had done what became him, and became his private character; he had done everything which, from his honour as a man, might be expected from him. But where was a course of this kind to stop? The Crown had a right to appoint its Ministers, yet that prerogative had been questioned. If this was the first, what would be the last of such proceedings? Encouraged by the success that now attended this case, it would be followed up by others. He warned those Statesmen who were now pursuing this course. They might again be in a situation to appoint Ambassadors themselves, and they would soon repent of what they were now doing. These were times in which little trust was to be placed in circumstances. But it was the duty of every man to maintain the constitution of the country. Let them, therefore, make their stand somewhere, and defend at once the prerogative of the Crown from unconstitutional attacks.

The subject was dropped.

HOUSE OF COMMONS,

Monday, March 16, 1835.

Minutes.] Petitions presented. By Mr. Campbell, from three Places, in Support of the Church of Scotland.

Lower Canada.] Mr. *Patrick Stewart* rose for the purpose of presenting to the House a Petition which he considered of very great importance, inasmuch as it would give to hon. Members something like a fair knowledge not only of the present unfortunate condition of Lower Canada, but of the real state of parties and opinions in that Colony. This petition was signed by 11,170 English, Irish, and French Canadians, resident at Montreal and its vicinity, and, so far from agreeing in the sentiments contained in the petition presented by the hon. and learned Member for Bath the other night, these petitioners expressed the deepest and most unfeigned regret at the disloyal spirit which a few discontented men had succeeded in engendering in the province in which they resided. They looked with dismay and alarm at the proceedings of a faction, whose only object was to destroy the present Constitution,and place in its stead a destructive democracy; and they severely deplored that their internal affairs were not altogether under the control of an external Legislature. In short, they reiterated the sentiments embodied in that part of his noble Friend (Lord Stanley's) the member for Lancashire's well known despatch, which was rejected by the House of Assembly, and humbly prayed, that the Constitution which had originally been given to Lower Canada should be preserved in its integrity to that Colony. It might perhaps be said, that these were the sentiments of Tories, but this he begged leave to deny. They were the sentiments of the old and constitutional Canadian Whigs, and this would be proved by a reference to the papers published at Montreal. The hon. Gentleman read extracts from some of those papers in which, though the principles of Reform were strongly insisted on, the most unqualified censure was cast upon those "injurious and dangerous advisers" who were endeavouring to create discord and anarchy in that province. He would call the attention of the House, and more particularly of the hon. and learned Member for Bath, to a letter which had some time ago appeared in the Canadian papers and created a strong sensation in that Colony. It was said that the hon. and learned Member for Bath knew something of that letter; and, if that were not so, the hon. and learned Member would have an opportunity now of denying it. The letter to which he alluded was dated from the place where the hon. and learned Gentleman lived, namely, Gray's-Inn-square. [Mr. *Roebuck*: My chambers are not in Gray's-Inn-square, but in Raymond-buildings, Gray's Inn.] The consequences which this letter produced were of so painful a nature that he could not pass it over in silence. Although the letter was published without signature it was generally attributed to the hon. and learned Member for Bath, and if he were not the writer of it he would no doubt be rejoiced at having an opportunity like the present to publicly disavow the fact. [The hon. Gentleman read the letter, which stated that Sir H. Vivian was about to be sent out as Governor of Canada, and expressed a hope that the Canadian people would be firm. It charged Mr. Spring Rice with having deceived the Canadian people, and advised them, if that right hon. Gentleman should return to the Colonial Office to render his position as difficult as possible, and not only to grant no supplies, but to harass the Government by every possible means.] This letter it was true had, as he had stated before, no signature attached to it; but still as it was generally supposed to have proceeded from the hon. and learned Member for Bath, he would leave it to that hon. and learned Member to affirm or deny the fact. The hon. Gentleman then proceeded to insist upon the services rendered by the Canada Land Company. It might be objected to him that he advocated the Company because he was himself one of those who composed it; but his reply would be, that he belonged to the Company because it was calculated to check great evil in this country and produce great good in the Colonies. That the Company was considered valuable by the Colonists was proved by the circumstance of a petition having been forwarded to his noble Friend, the Secretary for the Colonies, praying for such a Company. The alienation of the Crown and Church lands had been recommended by the Committee of 1828, and the Canada Land Company had been established for the purpose of drawing British capital, British industry, and British morality into Lower Canada. The abuses which existed in the Canadas were never denied by the British Government, and it had been the intention of the late Ministry to apply the earliest and most efficacious remedy.

Mr. *Gladstone* would put it to the hon. Gentleman, whether it were wise or discreet to renew this discussion?

Mr. *Stewart:* the hon. Gentleman reversed Johnson's definition of a fashionable patron, whom Dr. Johnson described as one who encumbers you with help when you have just reached the land; for the hon. Gentleman met him with an interruption when he had nearly arrived at the end of his journey. There was one point to which he would refer, and in doing so he would take the opportunity of saying that he felt satisfied this discussion, so far from doing injury, would on the contrary, be productive of good. The point to which he alluded was the necessity which existed of revising the representation, the evil of which consisted in this, that, whilst in one part (the Upper) of the Canadas the representation was founded on property and population combined, in the Lower the principle of population was alone acted upon. The hon. Gentleman quoted a passage from Burke, to show that if the Colonies conformed as closely as possible to the mother country in their mode of enjoying civil and social rights nothing would ever be likely to separate them. This, he hoped would prove to be the case of the Canadas. There was still, as he hoped whatever Commission was sent out would find, a fund of sound sense amongst the people of Canada, which, on the redress of any just grievance under which they might labour, would still ensure the continuance of the connection between them and the mother country.

Mr. *Roebuck* wished to vindicate himself from the charge of having endeavoured to excite the people of Canada to take up arms. He insisted that the letter which he had written could not be tortured into such a construction. In that letter he had advised the Canadians to resort to all means except arms. The letter he acknowledged to be his, and to the sentiments it expressed he still adhered. Of the other letter to which allusion had been made, he knew nothing, and he never wrote anything to which he would object to have his name attached. He had told the Canadians that they could gain nothing from this Government but by standing out, and he told them so in the same spirit in which the Whigs addressed the people of this country previously to the carrying of the Reform Bill. In telling the Canadians to endeavour to improve their institutions by withholding the Supplies, he had only done that which but recently had been done by the Gentlemen on his side of the House, and he had yet to learn that such a doctrine was unconstitutional. The House of Commons in London contemplated doing that which he had advised to be done in Canada. The people of England looked to that House to harass an unpopular Ministry by stopping the Supplies; and all the parties in that House would be taught, as in Canada, that the power which the Representatives of the people possessed to stop the Supplies was not unconstitutional. He contended, that the petition in reality involved the same dispute which existed here between the Liberals and the Tories, and he felt satisfied, that if a good Constitution were not established for the Canadians, they would make one. The only advice he would give to the Canadians would be, that they should state calmly to the Commissioner the grievances of which they complained, and insist upon obtaining a good Government.

Mr. *Robinson* observed, that the advice of the hon. Member for Bath went the length of advising the Canadians to harass every Government. As long as he acknowledged the giving such advice the hon. Gentleman showed himself as one throwing in a firebrand to excite and to irritate, and was adopting a course which would only have the effect of preventing all adjustment. Why should the hon. Gentleman assume, that it was not the intent of the British Government to redress any evils which the Colonies could fairly point out? The hon. Gentleman had advised the Canadians to resist the British Government if it did not grant their claims to the fullest extent. He could not agree with the hon. Gentleman in this advice, and he felt satisfied, that the Canadians would have reason to regret that their cause was not in the hands of the hon. Member for Taunton, who would be more likely than the hon. Member for Bath to conduct them to a satisfactory issue.

Petition to lie on the Table.

THE ESTABLISHED CHURCH (IRELAND).] On the Question that the

House should resolve itself into a Committee of Supply.

Lord *John Russell* said, that he was informed by one of the Commissioners of Public Instruction (Ireland) that in the course of next week a Special Report would be made by certain Local Commissioners, who had examined the parishes in eight dioceses in Ireland. He imagined, therefore, that in the course of the following week the report would be in the possession of the Members of that House. He wished, therefore, to put it to the House whether, as such was the case, it would not be advisable to postpone the Motion, of which he had given notice, respecting the Church of Ireland; because, when he originally gave notice of the Motion, he supposed that the Report of the Commissioners would be laid upon the Table of the House before the day fixed for that Motion. He would now move for the production, without delay, of any Reports which might be received from the Commissioners, and if it should meet with the concurrence of the House, he would afterwards postpone his Motion till the 30th instant, for which day he would move a call of the House. The noble Lord concluded by moving that there be laid upon the Table of the House, copies of all Special Reports, that may be received from the Commissioners of Public Instruction (Ireland).

The *Chancellor of the Exchequer* said, that he must call upon the noble Lord to give notice of the Motion; it was one which ought not to be made as a matter of course. The question was, whether incomplete Reports should be made from the Commissioners. Up to the present moment, the Government had received no Report from the Commissioners, and it did not appear that Government possessed the same means of ascertaining from the Commissioners the course which would be taken by them as the noble Lord had. Without entering into any discussion now, he begged the House to have the goodness to observe, that the question they had to decide was, whether they would proceed to affirm a general resolution on a partial Report? Whether or not the dioceses referred to by the noble Lord had been examined he could not state; but he must object to the Motion being made without notice.

Lord *John Russell* had no objection to comply with the suggestion of the right hon. Baronet, and give notice of his Motion. At the same time, he must say, that in order to avoid any appearance of surprise, he had communicated to the right hon. Secretary for Ireland, and the right hon. Secretary for the Home Department, his intention to submit such a Motion, and if he had heard any objection offered he would not have brought it forward. He would now withdraw the Motion, and give notice for to-morrow.

Sir *Henry Hardinge* said, that the present Government had not interfered in the slightest degree with the Commission, and were entirely ignorant of their proceedings.

Subject dropped.

Agricultural Distress.] The Marquess of *Chandos* asked the Chancellor of the Exchequer when it was probable that he would announce his plan for the relief of the agricultural interest?

The *Chancellor of the Exchequer:* In answer to the question proposed by the noble Marquess, must repeat what he had stated to many Gentlemen—namely, that with respect to all matters relating to the remission of taxes and fiscal regulations, it was better, that he should make a full statement of his intentions on the subject at the earliest possible period after the termination of the financial year, when he should know with sufficient accuracy for practical purposes, what would be the amount of the demands for the public service, and what the probable amount of surplus. This statement he expected to make early in the next month, which would allow hon. Members who might object to the views he might then lay before the House sufficient time to adopt what course they might think advisable. The House would recollect that it was only in December that he had assumed his duties, and taking into consideration the manner in which he had since then been occupied, it really was but fair that he should have time to make up his mind upon several important points connected with the finances of the country. He thought that he should best consult the public interest by declining to make any premature disclosures.

Ambassador to St. Petersburgh.] Lord *John Russell:* I beg to ask the right hon. Baronet whether, after what passed in this House on Friday night, it is still the intention of the Marquess of Londonderry to proceed to St. Petersburgh as his Majesty's Ambassador.

The *Chancellor of the Exchequer:* I will answer the question of the noble Lord without the slightest reserve. About an hour since a letter was sent to me by the Secretary of State for Foreign Affairs, which he had just received from the Marquess of Londonderry. The noble Marquess stated, that after the debate on Friday, he felt that his power of usefulness as his Majesty's representative at St. Petersburgh must be greatly impaired. He had therefore thought it a public duty to relinquish the situation for which he had been chosen. I am bound to add, that that course was adopted by the noble Marquess entirely on his own judgment, unsolicited and unsuggested, either directly or indirectly, by his Majesty's Government.

Lord *John Russell:* After what has fallen from the right hon. Baronet, I rise to say, that recollecting what passed in this House on Friday night, I think the noble Marquess acted rightly. Since he could no longer proceed as Ambassador to St. Petersburgh with any hope of public usefulness, I admire the manly way in which he has come to that determination; but, at the same time, I do feel bound to remark that this country is placed in a situation of new and great embarrassment by the appointment of an Ambassador by the Ministers of the Crown, which appointment can afterwards be set aside by the judgment of the House of Commons. I think, in the case of which we are now speaking, that the appointment was altogether so ill-advised as to call for the observations made by the hon. Member for Tipperary, and by other Gentlemen. I must say, that in the experiment we are now making, which experiment the right hon. Baronet calls a fair trial, we run a considerable hazard, that all the most useful prerogatives of the Crown will lose the dignity and respect with which they have been usually regarded. I own I come more and more to the opinion that we ought to revert, whenever we can, to that old practice of the Constitution under which the powers of the Crown were administered and exercised by persons in whom this House and the country had confidence—the House not being required to express its separate opinion upon appointments so much within the province of the Crown as the choice of Ambassadors to Foreign Courts. I feel that, in this case, it was most unfortunate that Ministers selected a person against whom such strong objections could be urged. I feel that it must greatly diminish the respect and consideration with which this Government is viewed by Foreign Courts, when it is found that the notification of the Secretary of State for Foreign Affairs, that an Ambassador has been appointed may afterwards be cancelled, not by a direct vote, but by an implied censureof the House of Commons. I could not help giving expression to these feelings, agreeing as I did in the greater part of what was said the other night, especially as to the sentiments of the noble Marquess on the subject of Poland. On that ground alone the appointment was highly objectionable; but at the same time, I wish to say, that the blame did not rest with the Marquess of Londonderry, but with the Ministers who advised the Crown to make the appointment of which the first consequence was to dissatisfy the House and displease the country. I cannot but conceive, that such conduct tends in some measure, to bring into disgrace even the Throne itself.

The *Chancellor of the Exchequer:* The noble Lord has assumed, that the retirement of the Marquess of Londonderry took place in consequence of the proceedings of the House of Commons. I do not mean to deny that it arose out of the discussion here—I meant nothing so unfair or so uncandid as to deny that the resignation was the consequence of that discussion; but I beg leave to remind the House, that it was only a discussion, and not a vote in the form of an Address to the Crown. When the right hon. Baronet, the Member for Nottingham, asked me, on Friday night, whether it was my intention to advise the Crown to cancel the appointment, or to withhold the completion of it, I did feel myself bound distinctly to state, that I should not consider it consistent with my duty as a public man to tender that advice. Some may suppose that the decision of the Marquess of Londonderry, though not directly suggested by Government, was made in consequence of some indirect communication. I beg leave distinctly to declare, that such was not the case. It was the single unsolicited act of the Marquess of Londonderry. No doubt, that appointment met with the disapprobation of those who expressed themselves in the course of the debate on the former night; but at the same time, I cannot help reminding the noble Lord, that even if a majority of the House had pronounced itself adverse to it, it would be some consolation to recollect that, I will not say the same majority, but still a majority, pronounced itself adverse to the re-appointment of Viscount Canterbury to the Chair. With respect to the observation of the noble Lord, upon the inconvenience to the public service of Government not being possessed of the confidence of a majority of the House of Commons, I can only say, that whenever the noble Lord, or any other man, thinks himself able to form a Government possessing more of public confidence, I submit that the proper course will be for him to give notice of that direct Motion. It may be some such Motion, probably, as the hon. Member for Middlesex has intimated will be brought forward, and then we shall be enabled to see by the result, whether the House of Commons is prepared to agree to a vote which would be tantamount to a direct Address for removal. Because a man, in the situation I hold, has a perfect right to consider, whatever may be the consequence of a resignation of the trust, that it is not upon slight grounds, nor for a slight disappointment or mortification, that he ought to feel himself warranted in retiring from the King's service. The true way for the House of Commons to displace an Administration is, not by a Motion which those who vote for it state—they hope will not have the effect of removing the Government, but by a Motion that will distinctly imply, that some other Government possesses more of the confidence of the House, with greater ability to preserve it by the discharge of its public duties. No man is more anxious than I am that that question shall be brought to a fair and speedy trial.

Mr. *Hume:* I agree with the right hon. Baronet in thinking, that he has some reason to complain, that no direct vote of censure has been moved. I hope ere long that his wish for a fair and speedy trial will be gratified. Every man will form his own conclusions—

Lord *Stanley:* I rise to order. There is no question before the House, and the course now attempted to be pursued is extremely inconvenient. Conversation may be carried to an indefinite length, and lead to no result.

Mr. *Hume:* I appeal to the Chair.

The Speaker: The Question is, that the Order of the Day for the House to resolve itself into a Committee of Supply be read.

Mr. *Hume*: There is a Question before the House; and if not, it would be competent in me to conclude with a Motion which would satisfy the noble Lord, and enable him to make any observations in reply without irregularity. Therefore, there is no necessity for the noble Lord's extreme sensitiveness on the point of order, and violent alarm lest we should be guilty of a breach of it. The right hon. Baronet has used one expression, which seems to throw a reflection on the House for rejecting Viscount Canterbury, and electing another Speaker in his stead, as if that were a matter of complaint against the House, as we all know it is a matter of regret with the Ministers. I take it as a matter of reflection upon myself and upon those who acted with me, and I consider that the right hon. Baronet has no right to make it. The right hon. Baronet will judge for himself, according to the dictates of his own feelings, as to what constitutes a declaration of the confidence or the no confidence of the House; but it certainly seems that he is not at all inclined to take a hint, and that no slight indication of no-confidence will convince him. Nothing less will satisfy him than a vote, that he and his colleagues are unworthy to be trusted with the management of public affairs—nothing less will satisfy him, and nothing will satisfy him less. I trust that such a Resolution will be sufficient, and that it will very soon be adopted. But what I rose principally to observe upon, was the peculiar situation in which the country is placed by having an Administration acting as this seems to act. Whatever opinion I might entertain of the Marquess of Londonderry (and I must own that his conduct in this instance has raised him in my estimation), he, at least, has had the discretion which the right hon. Baronet and his colleagues have not. He has shown the good sense, I wish the right hon. Baronet had shown as much, not to run counter to the opinion of this House. On the contrary, the right hon. Baronet, when directly appealed to, said, that he should proceed to complete the appointment. Has he done so? This is one of his eggs; so that the Member for Middlesex is not the only oviparous animal in the House. The egg the hon. Baronet has laid, and sat upon in vain, is not a hen's egg, but that of a bird of larger growth, and with a longer neck, as the result, had he hatched it, would have shown. On a former night, and in a manner which he thought very facetious, he alluded to my egg: now here is his unfortunate egg, which he never could hope to hatch, because everybody knew beforehand that it was addled. My egg was at all events a wholesome egg, and would have produced a healthy chicken, had it remained in my nest, but it was unproductive because it was removed. The right hon. Baronet, with his cuckoo-note of "a fair trial," is the very reverse of the cuckoo in his habits; for, instead of laying his eggs in other birds' nests, for them to hatch, he pops into other birds' nests himself, and hatching their eggs, takes credit for a most goodly brood of Reform chickens. However, he did lay one unlucky virgin egg, and neither he, nor the noble Duke to boot, could bring it to perfection. It seems that he sets at defiance the majority of the House: and because his Majesty is anxious to favour the right hon. Baronet and his friends, wishing to keep them in office, he is resolved, as he fairly avows, to retain the Seals to the last, and to exhibit the novelty of a Cabinet retaining their places, but deprived of the confidence of the Commons. This I call a strange state of things, which must paralyze everything connected with the internal Government of the country. I should like, as a matter of curiosity, to see and to compare the two dispatches to the Court of Russia, the one announcing the appointment of the Marquess of Londonderry, and the other stating that the House of Commons had prevented it. I should like to see the terms in which the fact was communicated that Ministers had been obliged to cancel the appointment. I mean to make no reflection upon the noble Marquess; when he tendered his resignation, he did what the House and the country expected, but not what Ministers recommended. It appears to me, that so far from taking it as a matter of excuse, it ought to be matter of accusation against Ministers, that they had no communication with the noble Marquess. They ought to have had a communication with him, recollecting that in the discussion of Friday, excepting the noble Lord (Lord Mahon) who first replied, there was scarcely an individual in the House who did not deprecate the appointment. I am extremely happy at the result, and I congratulate the noble Marquess on his good feeling and sound discretion. Ministers deserve no credit for the result: they would fain have hatched the egg if they could, but they only addled it.

Lord *Dudley Stuart:* I do not wish to make any ill-natured remarks, after the noble Marquess has taken the only course that was left to him. I wish, however, to congratulate the House and the lovers of liberty and justice that the noble Marquess has found it necessary to relinquish the high office committed to him—that of representing this country at the court of Russia. I rejoice at it for this reason, above all others—because the noble Marquess ventured publicly to malign a gallant people, struggling for their civil liberties and their national independence.

Sir *Robert Inglis:* Whatever opinions may have been expressed on Friday, there is no one who has heard what has passed to-night, but will cordially concur in the sentiment expressed by the hon. Member for Middlesex, that the Marquess of Londonderry has raised his character by the step he has just taken. I should not have obtruded myself on the notice of the House even for a few minutes, if I did not feel that the precedent of Friday night, followed up by the conduct of the noble Marquess, is pregnant with great danger to the Constitution. If the expression of the opinion of the House in a formal Address to the Throne had produced this result, I should be the last person to deny that the constitutional exercise of the prerogative of the Crown might have been employed to cancel the appointment. I should have thought such a course unfortunate; but it is still more unfortunate that a mere conversation, expressing the disapprobation of the House of an individual in whom the Crown (whether wisely or not is another question) had reposed confidence, should have produced the same effect. The King is thus deprived of the services of an individual selected as Ambassador to St. Petersburgh, for no reason that appears on the votes and journals of the House. If a mere discussion like that of Friday last can fetter the discretion of the Crown, it is a state of things deeply to be regretted. Although

I took no part in the discussion on Friday, I cannot but recall to the recollection of the House that it was imposing the severest penalties, and visiting with the heaviest inflictions, an individual who received within these walls the highest distinction of a soldier's life. When the noble Marquess, then a General in the King's service, received the thanks of this House, he little expected that one of the returns made to him would be a censure, not deliberately passed upon motion and after notice, but in a conversation for which no person was individually responsible. Under these circumstances, I must express my regret, with all admiration of the high-spirited self-denial of the noble Marquess, that the House has set so pernicious a precedent.

Sir *Henry Hardinge:* I confess I think that my noble Friend, the Marquess of Londonderry, could have taken no other step, and that he was bound in honour and spirit to adopt it. In my opinion, the charges against him are most unfounded and most unjust, and some circumstances were most ungenerously brought forward. Any one of us acting in public life to-day may be liable to such accusations to-morrow; but I do not rise to find fault with those who took part in the discussion on Friday; and having been for a long series of years connected with the noble Marquess, I should have risen in defence of his honour had I considered it attacked. I wish, however, now to observe, that when the noble Marquess speaks he does not always measure his words very accurately, and that it is hardly fair to quarrel with particular expressions used in the heat of debate. It is more particularly hard upon my noble Friend on the subject of Poland, because I know that his sentiments are diametrically opposite to those imputed to him. If there be one individual more than another who has a high respect for the opinions of his relation the late Marquess of Londonderry, it is my noble Friend,—and the late Marquess in no respect distinguished himself in foreign politics more than in solicitude for the welfare of Poland. I believe that that fact is well ascertained; and it is also known, that the present Marquess has always been anxious to follow the steps of his lamented brother as regards the Poles. Let me add, that I have avoided seeing the noble Marquess; and that his resolution regarding the embassy to St. Petersburgh is in no way, and in no degree, to be attributed to me. I am, therefore, not able to state whether he acknowledges the expressions imputed to him. I did not rise to provoke discussion, but to say that I knew he was a man of honour and spirit, and that this determination was his, and his alone.

Sir *John Hobhouse* allowed, that it was inexpedient to establish such a precedent as had been alluded to by the hon. Baronet, the Member for the University of Oxford; but the right hon. Chancellor of the Exchequer must admit the fault did not rest with the Gentlemen on his side of the House, but arose from what the hon. Member for the University might depend upon it would be the fruitful source of much more evil than had hitherto been seen—he meant from the Ministers of the Crown attempting to govern the country by a minority. If the Ministers of the Crown were in possession of the common confidence of the House—he meant if they were able to wield a majority, not large in itself, but still one available for the purpose of carrying on the Government, no such catastrophe as that which the hon. Member for the University of Oxford had alluded to could possibly occur, because when the Prime Minister made or sanctioned an appointment, he would know that, let Members talk against it as much as they pleased, when it came to the important point—namely, the vote, the majority would be with him. In consequence, however, of the position—he must take the liberty of saying the false position—in which the right hon. Baronet had placed himself, in consequence of his trying the almost unheard-of experiment of carrying on the Government of the country whilst in an acknowledged minority in that House, the event which the hon. Member for Oxford deprecated had occurred. Some hon. Gentlemen laughed when he spoke of the right hon. Baronet being in a minority, but he did not see a smile upon the face of the right hon. Baronet and his colleagues; they knew that he was not exaggerating, because it was a matter with respect to which they had had two or three proofs since the meeting of Parliament. He begged leave to say, that he looked upon the course taken by the House, not so much as a vote personally against the Marquess of Londonderry, as another proof that the hon. Gentlemen opposite were not in possession of the confidence of that House. It was a condemnation, if it were any thing, of their foreign policy—of that policy of which it was supposed the noble Marquess was to be sent to St. Petersburgh as the organ. Certainly, the right hon. Gentleman (the Secretary for Ireland) had told the House, that he was aware, from private sources, that the noble Marquess's opinions were not such as had been described. He did not think it necessary again to go over those topics, which had been discussed at large the other night; but he must take the liberty of saying, that if the noble Marquess were friendly to the Poles, it was undoubtedly a most unfortunate circumstance that he should have characterized them by a name condemnatory, not only of their cause, but condemnatory also of them personally. The noble Marquess had thought proper to call the Poles rebels—and not, let him be permitted to add, in the heat of debate, but in an opening speech; and it might, therefore, be assumed that the noble Marquess in thus describing the Poles had only expressed his deliberately-formed opinion. Having said thus much in reply to the hon. Member for Oxford University, he could not sit down without tendering his humble tribute of praise to the noble Marquess for the course he had adopted. The noble Marquess had followed the line pointed out by his own honourable mind. The right hon. Baronet opposite, in telling the House that the Government had not recommended the noble Marquess to take that course, only asserted what every one without such declaration would naturally believe to be the case. In his opinion, the Government could not have abandoned the noble Marquess; and if he had been in the situation of the right hon. Baronet, he would have gone out of office sooner than have abandoned that noble Lord. Still he believed that had nothing occurred to prevent the mission of the noble Marquess to St. Petersburgh, it would have been the duty of the House to have sent an Address to his Majesty on the subject.

The *Chancellor of the Exchequer* begged to represent to the House, that he was placed in a difficult situation by debates arising out of questions put to Members of the Government. An hon. Member on the opposite side of the House got up and asked a question, which he answered, not expecting a debate; and he was afterwards precluded from taking any notice of what occurred. He would take advantage of the indulgence of the House to thank the right hon. Gentleman (Sir John Hobhouse) at least for the fair spirit with which he had judged of the course taken by the Government—a spirit, let him add, worthy of a public man, and very different from that which characterised the remarks of the hon. Member for Middlesex. Supposing that he had said, in answer to the question which the hon. Baronet had put to him the other night, that he was prepared to advise the Marquess of Londonderry to retire, should he not have deprived the noble Lord of the grace and dignity of voluntary retirement? He could not conceive anything more unjust than not to have given to the noble Marquess an opportunity of considering the situation in which he was placed, and to have robbed him of the merit of deferring to what appeared to be the sense of the House of Commons. The right hon. Baronet opposite (Sir John Hobhouse) had also done justice to the Government in another particular, namely, in inferring that they would not have abandoned the Marquess of Londonderry, after the appointment had been tendered to, and accepted by, that noble lord, at a period of great difficulty, and under the peculiar circumstances in which the Government were involved. The hon. Member for Middlesex had accused him of acting in opposition to the majority of that House. Now, he would ask, did he stand forward and declare the intentions of Government in a hasty and insulting manner to the House of Commons? A question having been put to him, he could not avoid stating the course which Government intended to pursue. If the opinion expressed by the House was meant as a condemnation of the foreign policy of the Government, he must be permitted to say, that that was too important a question to be disposed of, not by votes, but by a discussion springing up on the Motion, that the House resolve into a Committee of Supply. He could not, then, regard what had occurred as intended for a condemnation of the foreign policy of the Government, but only as the expression of the opinion of the House with respect to an individual appointment. What steps the House might have thought proper to take if the Marquess of Londonderry had not acted as he had done, it was not for him to say; but he had said before, and he now repeated, with all respect towards the House, and with no wish to slight its opinion, that he never would have suggested to the Marquess of Londonderry to take the course which, from a sense of his own honour, and the dictates of his own judgment, that nobleman had adopted; nor would he, until the opinion of the House had been expressed in a regular and formal manner, have tendered his advice to the Crown to revoke the appointment. He felt obliged to the House for having allowed him to trespass so long on its attention, and he would not avail himself of the indulgence further than again to state, that he considered it would be only fair on the part of the hon. Member for Middlesex to give him notice of the day when he intended to bring forward any Motion involving the existence of the Government. It, undoubtedly, was hardly fair in the hon. Member to be threatening the Government with Motions from time to time, asserting that they would be brought forward at an early period, and yet shrinking constantly from naming any particular day. The hon. Member for Middlesex had already threatened the Government with a Motion for limiting the Supplies, and, certainly, he should have been prepared to resign if the House of Commons had voted in favour of such a Motion; for that, undoubtedly, would have been such a demonstration of want of confidence as would have rendered it impossible for any Government afterwards to remain in office. Now, he told the hon. Member for Middlesex, that if he was anxious to bring forward any Motion against the Government, and could not find a day for the purpose, he would facilitate the hon. Member's views. But if the hon. Member would not name a day for any such Motion, it was hardly fair in him to deal out menaces which he was prepared to enforce.

Mr. *Hume*, as one of the party opposed to the Government, did not think it right to allow the right hon. Baronet to select for them the day of attack. He begged the right hon. Baronet to leave them to choose their own time and day for that purpose. This was the second time that the right hon. Baronet had endeavoured to prevail on them to take his advice.

The *Chancellor of the Exchequer* said, that the reason was because that was the second time that the hon. Member had threatened to bring forward a Motion against the Government.

Lord *John Russell* would, with the permission of the House, reply to one observation which had fallen from the right hon. Baronet opposite. The right hon. Gentleman had called upon the House to express its opinion by some direct vote of want of confidence. Now, he begged the House to recollect that the ground on which the right hon. Gentleman had stood ever since the formation of the Government was, that though the House might not give the Ministry implicit confidence, they were entitled to a fair trial—to be allowed an opportunity of bringing forward their measures. If, then, a direct vote of want of confidence had been brought forward, he put it to the right hon. Gentlemen opposite, whether they would not have said to the Opposition—"You now preclude us from being heard; you want to condemn us without trial; and to reject our reforms, before you are able to judge of them." He (Lord John Russell) for one, would not expose himself to the chance of receiving such an answer, but he was willing to wait for the time and hour when the Gentlemen opposite would bring forward those great measures of Reform which they had promised.

The *Chancellor of the Exchequer* said, that it would then appear from the noble Lord's statement that the course the Ministry was pursuing was the right one, for the noble Lord did not mean to refuse a hearing to the Ministry; the noble Lord was, in fact prepared to give them confidence, he was prepared to wait for their measures. He intended to propose to-morrow a Bill for the relief of persons dissenting from the Church of England in regard to the celebration of marriage; and another Bill in the course of next week, to promote the commutation of tithe in England. In the course of the present week also an attempt would be made to settle a question, the most difficult of all, and requiring immediate attention—namely, the tithe question of Ireland. Now, he begged to put this question to the noble Lord opposite—if, in consequence of discussions in that House, and of votes, excepting the questionable votes on the Speakership and on the Address, he had thrown up the Government, would not the noble Lord, with his present sentiments, have turned and said to him, "You are guilty of a cowardly abandonment of office; you never meant to remove grievances; we never brought forward a direct vote of censure—we were prepared to hear your propositions, but you yourself have shrunk from the trial."

Lord *John Russell* did not wish that those sentiments should be mistaken for his, because he was entirely in favour of the maxim which the right hon. Baronet was once for—that the men in possession of the Government ought to have the confidence of the House of Commons. Still, if the Opposition had brought forward any direct vote of want of confidence, the right hon. Baronet might have gained the votes of a great number of persons, on the plea of being unfairly treated.

Mr. *Cutlar Fergusson* said, there could exist no doubt as to the Marquess of Londonderry's want of sympathy for the Poles, and that that circumstance of itself formed a sufficient ground of objection to his appointment as Ambassador to Russia.

The subject was dropped, and the Question again put that the House should resolve itself into a committee of Supply.

NAVY ESTIMATES.] Mr. *Hume* said, that from the manner in which the Estimates passed through the House, it precluded the possibility of their being properly examined, or discussed. The Navy Estimates did not show the number of officers required in any particular branch of the marine service. He could not ascertain from them the number of Colonels, Lieutenant-colonels, and other officers employed. Now he thought it right that the House should know the number of officers in the marines, their allowances, with the number upon full-pay, and on half-pay, &c. He would exemplify what he objected to by reference to a Return which he had moved for last Session. By that Return, which was dated the 7th of June, 1834, he found that the number of officers in the naval service at that date was 5,300, of whom only 460 were on full pay, yet during the year it appeared that there was considerable promotion in the navy. Now he thought that the House ought to have the opportunity of knowing why there were so many promotions from day to day, while there were nearly 4,000 pensioners, very many of whom would willingly serve. From the present system the House was precluded from inquiring into this subject. The besetting sin of the navy was, that very many good men were set aside to make room for persons who had interest. In the army, too, there were as many officers as would officer four times the army which this country kept up, and the consequence was, that during seventeen years of peace, their number was very little reduced. He would therefore, propose, that all the estimates should be referred to a Committee up-stairs. In that manner every branch —army, navy, and ordnance—could be carefully examined. This was the plan pursued in the United States, which was the most economical of all Governments, as well as in Belgium and other countries. Would the right hon. Baronet object to the appointment of a Committee, with the view of ascertaining what reduction could be made in the amount of the estimates? He had understood the right hon. Baronet to object to such a proceeding on a former occasion.

The *Chancellor of the Exchequer* said, that the hon. Member had misunderstood him. What he had said was, that he objected generally to the executive Government being relieved from responsibility by the Report of a Committee; and that such Committees ought not to be too frequent.

Mr. *Hume* thought, that Parliament should take into consideration the propriety of changing the present system of taxation, which was framed by persons who were not elected by the people but were nominated Members of the House of Commons, and, of course, that system was of such a nature as was best adapted to promote the interests of those who sent them to Parliament. There was not a single word in the speech relative to the taking off taxes, which could only be done by reducing the expenditure. They had been told, that the amount of the public revenue, in which reductions could be made, was not more than fifteen millions; but he contended that the amount in which reductions could be made was upwards of twenty millions. He was satisfied that reductions to nearly one-half twenty millions could be effected without injury to the public service. There was not more than two millions of the Consolidated Fund, independently of the interest of the National Debt, that could not be touched by that House. The salaries of the Judges, as well as of all other public functionaries, could, and ought to, be reduced; and also large reductions should be made in every branch of the public service. With reference to the Navy Estimates, he had protested over and over again against the enormous sums expended on stores during the last sixteen years; and although great reductions had been made, still much greater might be effected. The right hon. Baronet, the late First Lord of the Admiralty, had, by his exertions, been enabled to lessen the expense of the War Department. He (Mr. Hume) gave him every credit for his endeavours to promote public economy; but still much more might be done without lessening the efficiency of the public service. He was of opinion, that every article should be furnished to the navy by contract, and very few articles laid up as stores. If the question were fully gone into, it would appear that nearly thirty millions had been expended in useless stores and ships since the last war. If the right hon. Baronet would consent to refer the matter to a Finance Committee, he would undertake to prove the truth of his assertion. He knew that he had been considered rather a bore, in consequence of his constantly pressing the importance of savings that might be made in the store department; but how much would the public have gained if his warnings had been attended to a few years ago. By judicious economy, the public establishments might be rendered more efficient, and, at the same time, they would press less heavily on the public than they did at present. He had been told by several able naval officers, that those establishments which had been partially reduced by the right hon. Member for Cumberland, so far from being injured, were rendered more efficient. On this account, he thought it was desirable that the whole matter should go to a Committee up-stairs, to see what further reductions could be made. He was surprised at the lukewarmness of hon. Members with respect to the details of the Estimates. They were not at all aware of the great advantages that would result to the public if strenuous attempts were made to lessen the public expenditure. Few hon. Members knew how many ships we had in ordinary, or the number that there were in active service. It was now proposed to grant 500,000*l.* for stores, and yet they did not know how this sum was to be expended, or what necessity there was for laying out this large sum. In many respects they were worse off than they were previous to 1792. Before that year no ship was repaired until an estimate of the probable expense was made by the proper officer, and laid before the heads of the department; it was then ordered, or not, according to circumstances. No such superintendence or control existed now, but ships were ordered to be repaired without proper regard to the probable expense. The noble Lord (Ashley) had truly stated on the subject of repairs, and he (Mr. Hume) was much gratified at hearing the observation, that it was often better to break up ships than enter upon expensive repairs, as they were seldom certain of the expense that would be incurred. This was also the opinion of many of those who were best-informed on naval affairs. Independently of the expense attending keeping too many men and ships, as well as the unnecessary charge for stores, enormous sums of money had constantly been thrown away on public works. He had opposed from the first the erection of the works at Sheerness. In the first instance, it was said only half a million would be required, and already three millions and a half had been expended, and it now appeared that they were almost useless. The late Sir Joseph Yorke, who at one period was a strenuous advocate of these works, said shortly before his death, that, if he had ever contemplated that steam-navigation would have been brought to such perfection, he should have opposed the erection of any works at Sheerness. He had always contended that this would be found to be the case, and his opinion was now being adopted by most of those who formerly were most opposed to his views on this subject. He protested against the wasteful expenditure that had taken place on the works at Weevil, and yet, notwithstanding they were found to be comparatively useless, they were not stopped. Upwards of half a million had been expended on a building constructed to make biscuits for the navy, and he was satisfied that it would be found that not only this sum might have been saved, but that biscuits of equal quality to those made might be purchased at as cheap or a cheaper rate by contract. He had been greatly surprised at hearing the manner described in which rum was served out to the sailors. In consequence of it, habits of intemperance were promoted amongst the seamen. This point, he hoped, would not escape the attention of his hon. Friend, the Member for Sheffield, who, in his zeal to establish Temperance Societies, probably would endeavour to extend them to the navy. The expense for brewing beer for the navy, by the use of which the quantity of rum was to be diminished, had been enormous. If they had proceeded with common prudence they might have supplied the sailors with wine at as cheap a rate as they could furnish them with beer; but, in consequence of the injudicious course they had pursued, they promoted bad habits amongst the men. Again, the expense of the Admiralty Office was 108,000*l.*; now, he ventured to assert that, before long, 60,000*l.* a-year would be thought to be too large a sum for this establishment. He did not wish to reduce the expense of the scientific branch of it, which he thought to be necessary. He had repeatedly been charged with endeavouring to cut down the establishments to too low a scale; but he denied this, as he had never objected to even liberal grants for useful objects. He was convinced, that there was not a single item of the 2,800,000*l.* demanded for the effective service which was not capable of material reduction. The charge for half-pay was enormous, and no diminution was taking place, in consequence of the bad system adopted of promoting young men connected with the families of the aristocracy, and passing over the old officers. At present, there were hardly any half-pay officers of marines; and this was because every half-pay officer in that branch of the service had been called into active employment since the peace. Nobody would deny that the marines were quite as effective as any force; and the different system that existed with reference to the half-pay was, that it was not a popular branch of the service among the great families. The navy, however, was different, and the greater part of the promotions that had taken place was in consequence of the parties being connected with the leading aristocratic families. This had not only been admitted, but a right hon. and gallant Admiral had more than once justified the principle in the House. The half-pay was now 819,000*l.*; but he was sure, if it were properly dealt with, it might be reduced to 500,000*l.* Whenever a vacancy occurred, instead of promoting a young officer of great connexion, an officer should be taken from the half-pay; by this means, although there were 6,000 officers on the half-pay of the navy, the number would soon be greatly reduced. He was satisfied that the navy had been treated worse than any other service; and most meritorious officers had repeatedly been passed over without notice. As opportunities occurred, all officers who were efficient should have an opportunity of entering upon active service. He had repeatedly urged that the naval sinecure appointments should be got rid of; and he expressed his willingness that the amount of their income should be given to the lower grade of officers. He objected to going into Committee of Supply at present, but he wished the Estimates to be sent for examination to a Select Committee up stairs. The last Finance Committee, which was formed when the right hon. Baronet was in office, stated, that it was the duty of the Representatives of the people to take care to cut down the estimates to the lowest degree consistently with the efficiency of the public service. It also stated, that it was difficult for any Committee to determine what should be the number of men in the different services, or the actual amount of the establishments, as that must depend on the political situation of the country; but it was the duty of every Minister to show the necessity of large establishments. In this view he put it to the House, as they had been informed by the Minister that the establishments had been reduced to their *minimum*, whether it were not proper for the House to inquire, whether further reductions could not be made. The hon. Member concluded with moving, that the Navy estimates be referred to a Select Committee up stairs.

The *Chancellor of the Exchequer* said, he could not accede to the Amendment proposed by the hon. Member for Middlesex. They had made some progress in the Navy Estimates. They came to the first vote without any dissent, and now, in the course of their progress, the hon. Gentleman, without having given the slightest notice of his intention, called on the House to agree to his present proposition. The Estimates were, by the sanction of the House, referred to a Committee of supply, and the hon. Member for Middlesex, without, as he must again remark, the slightest notice, while they were in the course of that reference in fulfilment of the orders of the House, proposed that they should be taken from the cognizance of the House, and referred to a Committee up-stairs. If the hon. Member were right in his opinion that the estimates ought to be so disposed of, why did he not give a distinct notice to open the whole question? Why did he not do this, instead of interrupting the progress of the estimates by a Motion made in this manner? He would concede to the hon. Gentleman, that there was no constitutional objection, under certain circumstances, to appointing what was called a Finance Committee to examine and report upon the estimates; at the same time, he could not consent to devolve on such a Committee what belonged to a responsible Government. The Government formed a determination, on a full consideration of all the circumstances, which a Committee could not possibly examine, because there were particulars which a Committee had not the opportunity of becoming acquainted with. For this reason, he could not consent to the Motion of the hon. Gentleman. Its effect would be to relieve, in the worst form, the executive Government, from its responsibility. It was for the executive Government, which was in possession of various information, derived from all quarters of the globe, from its agents diplomatic and executive, to decide what amount of force was required, and it might be that it had to form its judgment on facts which it would not be consistent with its duty to disclose. The Government was bound to ask for the confidence of the House in such matters; he did not mean personal confidence, but confidence of the nature implied by the situation which the Government held, and which he trusted the Government would receive as long as it fulfilled its duties. But for any Committee of the House to take that duty off his hands, and relieve the Government from its responsibility, was to transfer to the House of Commons the responsibility which properly belonged to the executive Government. He had stated that he admitted the power of the House to refer the estimates to a select Committee, but he advised the House not too lightly to adopt such a course—not too lightly to devolve on twenty-one Members of the House the responsibility of Ministers. He knew very well that the proposition was rather a pleasing one; hon. Members would see in it the prospect of saving themselves from the examination of those details which, according to the hon. Member for Middlesex, were very imperfectly understood, and feeling it to be a great relief to them thus to get rid of five or six nights' attendance, might be willing to acquiesce in the suggestion. But he must say, that, in his opinion, hon. Gentlemen never became masters of the details through the examinations or Reports of Select Committees. Then, if the course proposed were good for this year, why should it not be equally good for the next — why should they not constantly act on the precedent proposed? But what said the hon. Gentleman? Did he not express a wish that hon. Members would but read the Reports which Select Committees furnished, observing, that he was sure they would do so if they knew what a mass of valuable matter they contained? The Reports, then, were confessedly not read; yet the hon. Member's proposition was, that there should be furnished a further Report in addition to the voluminous evidence already before the House: and, what security had they that more attention would be henceforth paid, than had been hitherto paid to such documents? He would ask the hon. Gentleman one question; did he not think that if the estimates were allowed to proceed, and they were discussed as they passed, that more light would be thrown on the subject, that more information would be obtained respecting them, than if they adopted the course he recommended in his speech? [Mr. *Hume:* More information would not be obtained than was gained the last night that the estimates were before the House.] He did not know how the hon. Gentleman had occupied himself on the former night. The Government had performed the duty imposed on it of preparing the estimates and submitting them to the House, and if the hon. Gentleman thought that instead of their being proceeded with, they ought to be referred to a Committee, he should have given notice of his intention, for the question involved many important considerations, which ought not to be decided without notice. He had often before thought, and he retained the opinion, that when a Government was disposed to enforce economy, they could effect it to a greater extent than any Committee. He begged to refer, for example, to what had been done by the right hon. Baronet the Member for Cumberland, who had made great reductions, and the present Government had proposed still further. He admitted the fact that such reductions having been made did not preclude the House from appointing a Committee, but if a Committee were appointed for the estimates this year, why not appoint Committees to perform the business of the Government on other occasions. The hon. Gentleman said, they wanted some further details respecting the marines, the provisions, and other matters, but why, if information was wanted, was it not called for? if it were, the Papers would be presented to the House. No one was more conversant than the hon. Gentleman with the mode of procuring them, and why did he not move for them at the commencement, when the estimates were first submitted to the House? Under these circumstances he must oppose the Motion of the hon. Gentleman to refer the estimates to a Select Committee.

Mr. *Hume:* The right hon. Gentleman asked why, when a Government was disposed to economy, should a Select Committee be appointed to interfere? But one of the grounds of the Motion was the speech of the noble Lord (Lord Ashley), who declared, in moving the estimates, that economy in that department had been brought to its *minimum.* Then the right hon. Gentleman inquired, why the Motion had not been brought forward at an earlier period? He would be candid in his reply. The fact was he never expected to see the present Government so long in office as for it to bring forward the Navy Estimates. Therefore, he did not consider it necessary to make such a motion.

The *Chancellor of the Exchequer* was quite aware of that. He had all along seen that the hon. Gentleman had been pursuing the prophetic course of one who expected to be Minister himself. But how was it, though the hon. Gentleman did expect to be Chancellor of the Exchequer, that he never thought of moving for the appointment of this Committee? Did he reason in this way—"I expect to be Chancellor of the Exchequer myself, and if I am, I may consider the appointment of a Committee inconvenient?'

Sir *Samuel Whalley* said, the right hon. Gentleman had furnished the best argument in support of the present Motion. He said it was not necessary, if they had confidence in the Government. Now, he for one, did not think that the Government was disposed to carry out the principle of economy. There was another argument used by the right hon. Gentleman, which he thought required very little examination for it to be seen that it ought to fall to the ground. The right hon. Gentleman said that if the House took on itself, or a Committee appointed by the House, to determine what should be the amount of his Majesty's forces, the power of Ministers would be transferred to the House of Commons. Now if this objection were good for anything, was it not a mere mockery to call on hon. Members of that House to vote a number of men? If they were not to be furnished with information as to the number of men required, it was a mockery to call on the House to come to any vote at all on the subject. Admitting that they were right in having agreed, as hon. Members on his side of the House did very reluctantly the other night, to grant 26,500 men to keep up the navy, they next came to the details; and should they not enquire whether the succeeding votes were necessary for the support of such a number of men. The right hon. Baronet affected to despise the labours of Select Committees, and said the House ought not to devolve on a Committee that which they ought to perform themselves; he also said that it was the duty of hon. Gentlemen to make themselves acquainted with the subject. This was impossible. A Committee of the whole House, though it had the privilege of calling evidence before it, seldom exercised it. He could not rely on the Government; and he thought a Select Committee advantageous in this way, it drove the Government on with its economy and enabled it to proceed in its measures of reduction with greater confidence. The right hon. Gentleman complained that no notice of the Motion had been given, and the House therefore was taken by surprise. He must confess that the House had always observed great reluctance to entertain a Motion of which notice had not been given; he trusted therefore that the estimates would be proceeded with as slowly as possible, and the hon. Gentleman would perhaps give notice of a Motion for a Committee, not only for the present year, but for every future year. He was quite sure the result would be the collection of such a mass of evidence as would show the error of that awful—he used the expression advisedly—of that awful declaration, that they had now arrived at the lowest point of expenditure. He begged to suggest to the hon. Member for Middlesex to withdraw his Motion. [*Cries of "No, no."*] Well, if the hon. Member for Middlesex persisted in his Motion, he would divide with him, but he much feared that many, on account of there not having been notice given, would vote on the other side.

Captain *Berkeley* said, he had declared that he felt no confidence in the present Administration; but he had also said that he would give no factious vote, and he did think that if he supported the Motion, the object of which was to prevent the Speaker from leaving the Chair, he should be giving a vote that was factious.

Mr. *George F. Youny* said, that while he was compelled to withhold his confidence from Ministers, still he was resolved to afford them in every respect fair play. It was not necessary for a notice of a Motion to be given in all cases, still he would say, he thought it to be most inconvenient to depart from the usual course. He thought there were great constitutional objections to the giving up of the powers of the Administration to the Committees, but he was also of opinion that such Committees were perfectly justifiable under peculiar circumstances. If it were asked why a Committee was not appointed last year, the obvious answer was, that they were not placed in the same situation last year.

Sir *Henry Parnell* supported the Motion. Having had considerable experience in such matters, he undertook to say, that it was impossible for the House generally, and especially for new Members to do justice to their constituents in sifting the multifarious details of the estimates in a Committee of the whole House, while it would greatly contribute to the satisfactory arrangement of the general business, and more particularly with reference to matters of expense, if the rule was laid down and the practice established of referring the estimates to a Committee up stairs. There was no instance of the Representative system of Government being of late years introduced where the principle had not been adopted of sending all details of money transactions to such tribunals before they were brought under the general consideration of the Legislature. This was the true and proper course to be pursued, and which had indeed been followed in former times by the English House of Commons. It was the only mode by which the public interests could be duly consulted. With respect to the estimates, he had hoped that they would have been given more in detail. In that respect they ought to imitate the example of neighbouring nations; and he could state positively that the last navy Estimate laid before the French Chamber consisted of three parts and no less than fifteen different chapters, occupying 140 pages, embracing every species of information as to all the different items of charge. He trusted that some step would be taken in order to remedy the inconvenience which was at present felt in relation to this matter.

Sir *James Graham* could not think it consistent with his duty to remain silent on the present occasion. While, on the one hand, he could not but deprecate those preliminary discussions, which the hon. Member for Middlesex had introduced with so much detail, as being extremely inconvenient and inconsistent with due expedition in transacting the general business of the country; yet, on the other, he was as deeply convinced that discussions in Committee of the whole House, of the particular items in the estimates, was the most satisfactory mode which could possibly be adopted, because of the publicity which they thereby necessarily obtained. He was no longer a Member of the executive Government, and therefore, his opinion was quite disinterested; but if he wished the details passed slightly over—if he wished to conceal a job, to exclude the public from all knowledge of the mode in which the estimates were prepared, and the efficiency of the person by whom they were submitted, by far the most likely method of effecting those ends would be to have the estimates referred to a Select Committee upstairs. It was vain to dissemble that over the constitution of Committees of that House, the executive Government, supported by a majority, must practically exercise a commanding influence. And the public being excluded from its inquiries, if there was anything wrong in the details, or any deficiency or delinquency on the part of the responsible officer, whose duty it was to prepare them, the best check would be practically lost in transferring the estimates from the Committee of the whole House to a Committee up-stairs. The subjects which had been adverted to by the hon. Member for Middlesex, such as the substitution of beer for rum, &c., were not by any means fit subjects for the investigations of a Select Committee; and if questions of this nature could not be safely left to the discretion of the executive Government, all official power had better be assumed, at once, by managing Committees of the House of Commons. The right hon. Baronet (Sir Henry Parnell) had eulogized the extent to which explanatory details were carried in the French estimates; he did not, however, altogether agree with the right hon. Baronet in thinking that great length always insured perspicuity; and if there could be a clear, intelligible, and yet short estimate, it would, in his opinion, be greatly preferable. He very well recollected, that when he had introduced considerable change into the mode of framing the estimates, he was complimented by the right hon. Baronet, the Member for Dundee (Sir Henry Parnell), and what was infinitely more rare, he received on that occasion some passing expressions of slight satisfaction even from the hon. Member for Middlesex himself. The right hon. Baronet then referred to some of the details alluded to by the hon. Member for Middlesex, and stated that the line-of-battle ships at present were fewer now than in 1792, the favourite period of that hon. Member's reference. He hoped care would be taken to prevent Britain from being involved in a war, but when involved, it was necessary that there should be a sufficient force, ready at all times, duly to maintain the honour and independence of the country; and no view of stinted economy should be entertained, which might produce so great a disaster as must necessarily flow from an insufficient supply of ships, or an inadequate force of men for such an emergency. If the hon. Member for Middlesex succeeded in displacing the present Government, and installing himself on the Treasury Bench, in the office of Chancellor of the Exchequer, if a proposal were made for referring the navy estimates to a Committee up-stairs —in that case, he (Sir James Graham) having no confidence in such an Administration, and, certainly, he must be excused for saying, no confidence in such a Chancellor of the Exchequer, would, nevertheless, stoutly and consistently resist that Motion. He could not but take that opportunity of stating, that he felt the greatest satisfaction in finding that the great change which he had, under very heavy responsibility, introduced in this department of the public service, had received the approval of those in the present Ministry, who had the greatest official experience. By some of those Gentlemen that measure had been opposed; but it would be most unjust in him, if he did not state that, when first he accepted office, he received from Lord Melville, his predecessor for many years, the most minute and valuable information, both with respect to the defects which existed in the department, and the remedies which it was most advisable should be applied. He was bound also to say, that he had availed himself of that experience, and acted on that advice; and though party feeling then ran high, the measure having been opposed in another place, the noble individual in question, greatly to his honour, strenuously supported it. If there was any merit whatever in having effected the change, he was, therefore, bound to say, that Lord Melville was entitled to a fair share in it. On the other hand, the right hon. Baronet, the Member for the county of Edinburgh, (Sir George Clerk), who had, undoubtedly, great experience in that particular department, opposed it, as likely to produce great confusion, by the abolition of the minor Boards; but he was glad to see that so far from being impracticable, it was found to work smoothly and easily, and was now admitted, on the whole, to be conducive to the public good. He did not state this invidiously, but it did so happen that, both with respect to the change itself, and the reductions he had effected, a noble Duke, in another place, made a remark which he was obliged to allude to on the present occasion. He had reduced, for one thing, the supply of timber and materials, for the Dock-yards, by the sum of 400,000*l.*, and he well recollected the Duke of Wellington's opinion upon that reduction, which would be found in *Hansard's Debates*, for the latter part of the Session, 1832, (vol. 14, page 1366), and which he would take the liberty of reading to the House:—" Another item of reduction, was in the purchase of timber for the navy, which amounted to the very considerable sum of 400,000*l.* It was evident that the magazines of this country must be kept up, and all that was really done by this apparent saving, was to throw the burthen to this extent upon future years. With a view to secure an adequate supply, and to the proper seasoning of stores, and with a view to the probability that it might become necessary for his Majesty's service, to make some great exertion, it was impossible that less than double the amount of the estimate of this year would suffice. He thought, therefore, that the reductions were not only temporary, but effected at the sacrifice of an important part of his Majesty's service." It was, however, now a consolation to him to know, that within three months from the time of the Duke of Wellington and his colleagues coming into office, they had found not only that the sum proposed by him for the supply of the Dock-yards was sufficient—not only that those dock-yards would not require double the sum he had provided, but that on this very head of expense, and within three months of coming into office, they had thought it consistent with the public service, to recommend the reduction of a further sum of 60,000*l.* He did not state this invidiously; but the statement of the fact was due to the vindication not only of his own character, but of the Colleagues with whom he had had the honour of serving; since if the suspicions of the noble Duke had been well-founded, Lord Grey's Administration, and he (Sir J. Graham) in particular, would have merited the severest censure; whereas the fact was now established, that, in three years, they had saved a million of annual expenditure in the Naval Department alone; and had left the arsenals fully supplied, and every branch of the service as efficient, as when a more lavish expenditure had been sanctioned by the Administration of the noble Duke.

Dr. *Bowring* said, the right hon. Baronet, the Member for Cumberland, had done less in the way of estimates than in that of accounts, and he hoped, the hon. Baronet would allow him to say *spero meliora.* It was impossible that these estimates would be properly dealt with in a Committee of the whole House. It appeared by these estimates, that 22,000 sailors cost 670,000*l.*; whereas, in the estimates of a neighbouring country, 27,000 sailors appeared to have cost only 455,000*l.*, that was fifty per cent less. He did not say that there might not be reasons for the greater charge made in England, but they could only be investigated in a Select Committee. Again, for victualling the men—the charge here was 16*l.* 5*s.* 6*d.* per man, whilst in the French service it was only 11*l.*, and in that of the Netherlands only 7*l.* The causes of this difference could only be detected in a Committee up-stairs. The same might be said of the cost of our central Administration, which was three per cent of our whole expenditure, whereas that of France was seven-eighths per cent, and was most excellent in all its details. Indeed, the Administration of the military department, in its present form was the best legacy Napoleon left to France, its expenditure not exceeding three-and-a-half per cent on the outlay. God forbid! that he should speak factiously, but he said, that in the present state of pressure upon the country, it was their duty to practise the greatest economy, and he trusted the right hon. Baronet would not reject such suggestions as might enable him to attain it, without a sacrifice of any great national interest.

The House divided, on the original Motion, that the House resolve itself into a Committee of Supply, Ayes 146:—Noes 66; Majority 80.

List of the NOES.

Ainsworth, P.
Attwood, T.
Bellew, R. M.
Barnard, E. G.
Brady, D. C.
Brotherton, J.
Bodkin, J. J.
Buller, C.
Butler, Colonel
Brabazon, Sir W.
Baines, E.
Bridgeman, H.
Bowring, Dr.
Bulwer, H. L.
Blake, M.
Crawford, S.
Clay W.
Crawley, S.
Chapman, M. L.
Chalmers, P.
Dennistoun, A.
Dobbin, L.
Elphinstone, H.
Evans, G.
Ewart, W.
Fielden, J.
Finn, W. F.
Gillon, W. D.
Grote, G.
Gully, J.
Heathcote, J.
Hindley, C.
Leader, J. T.
Lister E. C.
Marsland, H.
M'Cance, J.
Murray J.
Musgrave, Sir R.
Oswald, R. A.
O'Brien, C.
O'Connell, M. J.
Parrott, J.
Parker, J.
Perrin, L.
Parnell, Sir H.
Power, P.
Potter, R.
Ruthven, E. S.
Ruthven, E.
Rundle, J.
Scale, J. H.
Stuart, Lord J.
Spiers, A. G.
Strickland, Sir G.
Tancred, H. W.
Talbot, J. H.
Thornley, T.
Tulk, C. A.
Villiers, C. P.
Wakley, T.
Wallace, R.
Walker, C. A.
Warburton, H.
Whalley, Sir S.
Williams, Sir J.
Williams, W.

TELLERS.	PAIRED OFF.
Duncombe, T. S.	Mullins, F. W.
Hume, J.	O'Conor, Don
	O'Dwyer, C. A.

The House went into a Committee of Supply.

Royal Yachts.] On the Motion that there be granted for the wages to Seamen and Marines to the Ordinary and Yard craft the sum of 933,054*l.*

Mr. *Hume* wished to know how many men were employed in the Royal yachts.

Lord *Ashley* said, there were employed in the yachts, fifteen, sixteen, and fourteen, besides the master and some other officer whose designation did not reach us.

Mr. *Hume* wished to know how many yachts there were.

Sir *James Graham* said, there were formerly five yachts, but now, as we understood him, there were only three employed.

Mr. *George F. Young* stated that, though the yachts might be lying without men or officers, yet they cost a considerable sum in keeping in a state of efficiency which the House knew nothing of, and they were always liable to expense.

Lord *Ashley* said, that there were two boats' crews and two captains, who were partly paid as superintendants in the dock-yards.

Mr. *George F. Young* gave notice that he should move for a return of the expense of keeping up the two yachts for the last three years; and then, on the bringing up of the Report, he should take the sense of the House on the question of the propriety of reducing the estimate by the amount of that expense.

Admiral *Adam* said, that desirous as he was of enforcing every practicable economy, he should be sorry to see the state and dignity of the King, in a maritime country like this, deprived of its necessary appendages,

Mr. *Aaron Chapman* thought it would be a disgrace to the House of Commons to entertain the idea of effecting a reduction in so paltry an establishment as that of the Royal Yachts.

Sir *E. Codrington* thought, the attempt most discreditable. He would prefer seeing the office of Lord Chamberlain, and other offices of that description, abolished, to dispensing with those yachts, which were necessary for the maintenance of the Royal dignity. He could not help designating any proposition which went to effect that object, as despicable economy.

Mr. *Gillon* protested against the use of the phrase, "despicable economy," as it was applied by hon. Members, who had taken a part in that discussion. He conceived that it was much more disgraceful, that hon. Members should sanction any resolution which would take a pound unnecessarily out of the pockets of the people, than they should give their support to the view which the hon. Member for Middlesex took of this matter.

Mr. *Charles Buller* observed, that under the guise of what was termed keeping up the Royal dignity, a great deal of jobbing was frequently concealed; and he had no hesitation in expressing it as his opinion that the resolution then before the House had all the characteristics of a job.

Captain *Berkeley* said, that the captains who commanded those yachts were competent to serve on courts martial, and they were frequently selected as Judges in that tribunal, when it might be very inconvenient to bring officers from a distance to the stations where these officers were placed as commanders of his Majesty's yachts.

The resolution was agreed to.

Supply—Captain Symonds.] On the Motion, that a sum not exceeding 108,844*l.* be granted to his Majesty for the salaries and other expenses of the Admiralty-office, for the year ending the 31st of March 1836.

Dr. *Bowring* compared the number of *employés* in the civil department of the English Admiralty with the number in the civil department of the French army. Although the former was 197, and the latter 385, yet the expense of the English Admiralty was much greater than that of the French.

Mr. *Labouchere* thought, that the establishments at Somerset-house ought to be increased rather than diminished.

Mr. *George F. Young* complained of the appointment of Captain Symonds as Surveyor of the Navy. He had made a similar complaint in the last two Sessions, and he repeated it now, because experience had shown that that appointment had been most prejudicial to the interests of the public. Captain Symonds was supposed to be the inventor of a particular plan for the construction of ships of war; but the fact was, the invention was not his, for it was known fifty years ago. He did not mean to detract from the merits of Captain Symonds,—no doubt he was a clever man; but what he complained of, and what he thought the public had reason to complain of, was that the country was put to the expense of altering vessels which had been laid down on former plans, so as to have them remodelled on Captain Symonds's plan. There was, for instance, the *Boscawen*, which had been laid down on the plan of the *Courageux*, the *St. Domingo*, and other ships, which had been greatly approved of, but which was now being taken to pieces after having been laid down for some years, and her timbers well seasoned, in order to be remodelled on this, which was called Captain Symonds's plan; and this alteration, would be made at an expense of 10,000*l.* to the country. These were caprices which ought not to be permitted, when they involved the country in such expense. He would ask the noble Lord (Lord Ashley), whether he had seen the reports of many experienced naval men, and among others of Sir George Cockburn, who must be allowed to be a good judge on this subject? The system of building new ships wholly on Captain Symonds's plan was in his judgment much to be deprecated. The remodelling the Navy on that individual's principle—a principle which, if he died to-morrow, would cease to be used—was most unwise and impolitic.

Captain *Pechell* did not rise for the purpose of defending the expenses incident upon the adoption of Captain Symonds's plan, or to justify the appointment of that gentleman to the office of surveyor of the navy. He, however, thought that the professional knowledge and practical experience of Captain Symonds had been of the greatest possible utility to the service, and the late Board of Admiralty were deserving of the best thanks of the country for employing him. Captain Symonds had been of the greatest service to the country, by his construction of many of our new ships of war; and although he (Captain Pechell) differed from him in some points, he must say, that the ships to which he alluded were, in point of equipment, speed, and capacity, fit to go to any part of the world and were a credit to England.

Lord *Ashley* said, that he had inquired into the subject, and found that the ships which had been constructed on Captain Symonds's plan were generally and highly approved of. One of those ships, although larger by a considerable number of tons than another on the old construction, yet cost less by 14,500*l.*

Sir *James Graham* held himself responsible for the appointment of Captain Symonds, and from that responsibility he would not shrink. That gallant officer had built several vessels of a small class, but the largest vessel constructed upon his plan was a frigate of the fourth-rate. It was true that there were now building two seventy-fours and one first-rate. The excellence of the ships had, however, been demonstrated to the satisfaction of every individual competent to form a judgment, and he (Sir James Graham) was quite content to leave the question of the propriety of the appointment of Captain Symonds, and the benefit thereby conferred upon the naval service of this country, to the judgment of the gallant Admiral (Sir George Cockburn) who had commanded the *Vernon*, and who was about to join the Board of Admiralty. He was, also, persuaded that Captain Symonds had incurred no needless expense in trying experiments; on the contrary, the former surveyor (Sir R. Seppings had been in the habit of asking from the House a vote in the estimates of about 800,000*l.* for materials; while all that was at present asked by Captain Symonds was 358,000*l.*, so that in point of economy the difference was 100 per cent, while at the same time the naval arsenals never abounded with better materials than at present. As he had before said, he was quite willing to leave the matter to the knowledge and experience of the gallant Admiral to whom he had alluded.

Sir *Edward Codrington* bore testimony to the excellence of Captain Symonds's principles of naval architecture, and could say, that the experiments which he had witnessed, had induced him to recommend Captain Symonds to the attention of the late Government.

Mr. *Hume* said, that if the statements of the hon. Member for Tynemouth were correct, and fifty ships had been laid down upon the new principle, it was high time they had the report of some scientific and practical men upon the subject, From the appointment of Captain Symonds was to be dated the overthrow of the school of naval architecture, which he could not but regret, as England had long been notoriously behind the rest of the world in the science of ship-building. No man ought to have been appointed surveyor of the navy who had not a scientific knowledge of naval architecture. It seemed from the course that had been pursued, as if it was determined no vessel should be built to come in competition with those of Captain Symonds; for last year, when six packets were to be laid down, they were all built upon that gentleman's principle, instead of upon different principles, by which the new one might be put to the test of competition. What they ought to do was, to appoint a Committee of that House to receive reports of the performances of the ships produced by Captain Symonds by those who had witnessed them.

Sir *James Graham* said, that the ships were not laid down upon Captain Symonds's principle without good advice and knowledge of its effect. Before taking any decisive step, he had taken the opinion and advice of Sir Thomas Hardy, Sir William Parker, Sir J. Rowley, and the House had heard the sentiments of the gallant Admiral, the Member for Devonport. As to a Committee of this House trying a technical question, the idea was preposterous; but he was willing to leave the decision of the question to Sir George Cockburn, who was about to come to the Admiralty, and who would certainly be an impartial judge of Captain Symonds's merits. He would have abundant materials whereon to found his judgment, for there was hardly a station in any part of the world in which there was not now a ship built by Captain Symonds; and the largest frigate he had built was now in the Mediterranean, where it would sail in competition, not only with the whole of the English squadron, but probably with many foreign ships. By the end of the year, therefore, reports whereon to found a sound opinion would be received at the Admiralty from every quarter of the globe.

The vote was agreed to.

SUPPLY.—PROFESSOR AIRY.] On the question that 24,590*l.* be granted to defray the salaries of the officers and contingent expenses of the several Scientific Departments of the Navy,

Mr. *Spring Rice* inquired of the Chancellor of the Exchequer, whether his Majesty's Government had granted any pension to Professor Airy.

The *Chancellor of the Exchequer* said, that he had not the honour of a personal acquaintance with Professor Airy; but was induced by his reputation to write to him to say, that he should have great gratification if he would allow him (the Chancellor of the Exchequer) to recommend him to his Majesty as a pensioner on the Civil List, in order to encourage those who devoted their lives to science, to pursue studies so honourable to the country, whilst it was quite clear that the devotion of the same talents to lucrative pursuits would lead to wealth. He added that he did not consider the pension as conferring any personal or political obligation whatever, and in the result he had the permission of the reverend Professor to advise his Majesty to bestow on him a pension of 300*l.* per annum.

Mr. *Spring Rice* said, that every one, both in and out of the House, would hear with satisfaction the answer of the right hon. Baronet. The pursuits of science, however conducive to the public benefit, were any thing but profitable to the individual engaged in them; and if a man like Professor Airy did not meet with reward in some such way as had so much to his credit been adopted by the right hon. Baronet, it would be a matter of regret to all who valued the honour of their country. The predecessors of the right hon. Baronet might be allowed to envy him the opportunity he had had of bestowing such a mark of the Sovereign's approval upon Professor Airy; and he must, in justice to his noble Friend, who was lately at the head of the Treasury, say that he also had had his attention turned to the merits of that distinguished man, and he held in his hand a copy of a letter addressed to him at the desire of Lord Melbourne. It was to this effect—

"Downing-street, August 25, 1834.

"MY DEAR SIR.—It is highly probable that a vacancy may take place very shortly in the office of Astronomer Royal. If this event occur, it will be of course the duty and the object of the Government to make such a selection as shall be most conducive to the interest of science, and as shall secure to our national astronomical establishment and its observations, the greatest respect and authority throughout Europe.

"On these principles it is more than natural that the Government should be desirous of knowing whether the appointment is one which you would accept; as it would be most gratifying to us all to have an opportunity of marking the admiration which we feel for your eminent attainments, and the respect which is justly due to your character as an individual. As a Cambridge man, I am fully aware that to our University the loss of one of its greatest ornaments cannot but be felt as irreparable; but we ought not to be selfish, we should think of England as well as of Cambridge; and I trust there is not one of our scientific friends who will not feel that in selecting a new Astronomer Royal, it is towards you that the earliest attention of his Majesty's Government should be directed, less in justice to science, than to the credit and character of the country.

"Pray let me hear from you at your earliest convenience, and believe me, &c.

T. SPRING RICE.

"To rev. Professor Airy, Cambridge."

The vote was agreed to.

The House resumed, Committee to sit again.

HOUSE OF LORDS,

Tuesday, March 17, 1835.

MINUTES.] Bill. Read a third time:—British Territories (India); Indemnity.

Petitions presented. By the Earl of WICKLOW, from the Solicitors and Attornies of Ireland, against the Securities on Land (Ireland) Bill.—By the Duke of GORDON, the Marquess of BUTE, and Earls SHAFTESBURY and ROSSLYN, from several Places,—for Additional Accommodation in Scotch Churches.

ABOLITION OF SLAVERY.] The Earl of *Mulgrave* said, that he begged to put two questions to the noble Earl opposite, the Secretary of State for the Colonial Department. Intelligence of a private nature had been very recently received from Jamaica, which spoke favourably of the operation of the Bill passed for the emancipation of the Negroes. He wished to learn from the noble Earl, whether the official information that had been lately received from the West Indies as to the working of the Emancipation Act tallied with the intelligence obtained through private letters and from non-official sources. It had been asserted that the working of that measure would be in some degree tested by the first crop of sugar produced subsequently to the Bill becoming law in the Colonies. He wished, therefore, to know whether, under the operation of the Act, a sufficient number of labourers, and particularly of apprentice labourers, could be provided for the cultivation of sugar. He understood, from all quarters, that the planters were unable to procure a sufficient quantity of labour to carry on the cultivation of sugar. If the noble Earl could, from official documents, corroborate the statements made in private communications it would be giving great satisfaction to the country. The other point on which he wished to say a few words arose from circumstances of which the noble Earl must be aware. It must be known to the noble Earl that there were in the Colonies certain persons who had no property in the soil, but who were jobbers in slaves; that was, that they were in the habit of keeping slaves and letting them out to the owners and cultivators of the soil. He had heard, that since the passing of the new Act many of those jobbers had not—from want, as it was reported, of sufficient employment—thought it necessary to retain those negroes, and that those dangerous persons had, in consequence betaken themselves to the mountains. Those negroes, now that they were not attached to the soil, were the worst description of neighbours. Before he left the island of Jamaica, he was desirous that some vagrant law should be passed in reference to that description of negroes. He now begged to ask the noble Earl whether it was intended by Government to introduce a law of that nature. He believed that upon this point the noble Duke opposite (the Duke of Buckingham) had lately received similar accounts from Jamaica.

The Earl of *Aberdeen* felt very great pleasure in being able to confirm the statements of the noble Earl with respect to the favourable working of the new system, and to the abundance of the new crop of sugar. From official intelligence obtained from all quarters he had every reason to believe, that the new crops were of a full average nature. Not only was that the result of the working of the new Act in Jamaica, but the same result was obtained in British Guiana, a colony only second to the island of Jamaica. With respect to the second point touched upon by the noble Earl he had no information, but he believed that the evil did not exist to any great extent. There might be some isolated cases of the jobbers alluded to not retaining their negroes, and of the latter running away and fleeing to the mountains; but such an evil must be of limited extent, since the demand for labour now was greater than it was before. He believed that no vagrant law had been enacted but his impression was, that in December last a provision had been introduced into the new Act, by which wandering negroes might be arrested and punished accordingly. It was his opinion that a law for the suppression of vagrancy in the colonies ought to be enacted if the provision alluded to should turn out inefficient.

The Duke of *Buckingham* said, that his accounts confirmed the statement of the noble Earl opposite. The negroes belonging to jobbers in Jamaica were very numerous; they were numerous also in other colonies. There were 30,000 of that class of negroes in Barbadoes alone; he did not see that it would be proper to enact any vagrant law, for it would be cruel to punish those men who had committed no offence. He knew that these negroes were often reduced to a state of great destitution, that they were turned loose upon the world, and that, in consequence of this, child-murder was not unfrequent among them.

The Earl of *Mulgrave* expressed himself satisfied with the explanations of the noble Earl (the Earl of Aberdeen) on the subject, and said that the evil arising from that class of negroes mentioned, was more likely to affect the property of the noble Duke (the Duke of Buckingham) in the neighbourhood of Kingston.

ECCLESIASTICAL COURTS.] Lord *Brougham* wished to ask the noble and learned Lord on the Woolsack, whether the Bill which was introduced the other night by the Attorney-General into the House of Commons, comprehended any measure for the abolition of the Court of Delegates? The noble and learned Lord was proceeding to state what the Attorney-General was reported to have said, when

The *Lord Chancellor* rose to order, as it was irregular for noble Lords to comment upon observations supposed to have been delivered in the other House of Parliament. He believed, too, that the supposition was a mistake.

Lord *Brougham* admitted the irregularity; but he said he had heard from friends who were in the House of Commons, that the hon. and learned Gentleman had spoken in the way he had supposed. Such a measure would, in itself certainly be a most useful measure; but introduced at the present moment, it would be a most useless measure. The Court of Delegates was abolished by a bill which he himself had introduced in Parliament, which was passed on the 14th of August, 1833, to take effect in 1834, and by which the hearing of appeals in Ecclesiastical Causes was transferred from the Court of Delegates to the Privy Council. This was, therefore, not only a hatching of eggs, but a sitting upon his chickens; that was a dangerous operation, and had a tendency to destroy the chickens altogether.

The *Lord Chancellor* was satisfied that the report alluded to by the noble and learned Lord was a mistake. There was no such clause in the Bill. The Attorney-General could not have said what was supposed. He was quite satisfied that the Attorney-General knew every thing connected with the Privy Council; and he presumed, that the mistake had arisen from the circumstance that the Bill introduced by the hon. and learned Gentleman did abolish several courts, and transferred their jurisdiction. He apprehended that the persons who published accounts of what was said, not being quite aware of the law on this subject, had misapprehended the hon. and learned Member.

Lord *Brougham:* The person he had applied to on the subject was a learned Commissioner of the Ecclesiastical Court, who said that he had endeavoured to set the hon. and learned Gentleman right, but that he could not do so.

POOR-LAW AMENDMENT.] The Duke of *Buckingham* rose, pursuant to notice, and said that the Petition he had the honour to present to their Lordships was from the inhabitants of Stoke Poges, in the county of Buckingham. It was a petition against the manner in which the Poor-law Commissioners proposed to act in the administration of the Poor-laws with respect to that parish. The facts alleged in the petition were these:—The parish of Stoke Poges had during forty or fifty years a workhouse of its own. The management adopted in it for the relief and accommodation of the poor were as perfect as they could possibly be, and the landowners and land occupiers in the parish were in the habit of giving very high wages to the labourers they employed. The richer landowners were accustomed to pay their labourers at the rate of, from 12*s.* to 13*s.* a week, and the land occupiers and farmers paid them 10*s.* Those wages were very high indeed. The consequence was, that the poor were well provided for—so well, that he doubted whether, even at this time of the year, more than three paupers were employed in repairing the roads. The complaints contained in the present petition were of so grave a nature that he did not like to present it to their Lordships until he received more ample information respecting it. He sent for the overseers of the parish, requesting them to come and converse with him on the subject of those complaints. They complied with his request, and he begged to mention to their Lordships that those overseers were highly respectable persons. They stated that for forty or fifty years the parish contained a workhouse, and that from its good arrangements and the willingness of the better-off portion of the inhabitants to aid the poor, the poor rates were diminishing every year. The poor in the parish were contented and the landowners and farmers were satisfied with the conduct of the poor. But, unfortunately for the poor of this parish it came under the examination of the Poor-law Commissioners, who afterwards determined to put the parish, and its workhouse in union with thirty other parishes. The parishioners stated to the Poor-law Commissioners, that they had a workhouse of their own sufficiently large for their wants, and sufficiently ample to enable them to adopt any arrangements, or mode of classification recommended by the Commissioners. They begged, therefore, not to have their parish concentrated; but the Commissioners stated their determination to build other workhouses in the parish. To this the parishioners objected, as they did not wish to see any compulsory means adopted towards the paupers. They then presented a memorial to the Commissioners, the result of which was that, instead of having their parish united with thirty others, it was to be united to nineteen, and a workhouse was to be erected four miles distant. The petitioners thought it very hard that the paupers should be removed to such a distance. They complained much of the grievance of removing the poor out of a parish that was well-managed, and transporting them as if to a foreign part. He used the word foreign for though the four miles might seem a short distance to their Lordships they were considered by the poor as so many leagues. A workhouse was to be built accordingly four miles distant, at Gerard's Cross, to which the paupers were to be removed. When first he heard this statement he could not make up his mind to believe it, but he thought that the Commissioners must be in some way mistaken, for he knew that the regulations of the Commissioners were not as yet passed. However, a Deputy-Commissioner was sent down, who explained to the very excellent Clergymen of the parish the intentions of the Commissioners. He (the Duke of Buckingham) saw the overseers, and he examined them before witnesses. He told them what use he intended to make of their evidence. He warned them not to exaggerate their statements, as he intended to bring them forward before their Lordships, and if they contained an overstatement the fault would rest with the overseers. With this caution he obtained his information from them. The Deputy-Commissioner went down to the parish, and he stated to the clergyman of it the intentions of the Commissioners. The Clergyman told the Deputy Commissioner that there were 12 parishes out of 19 which had their own workhouses, which were well managed in every way, and prepared to meet the objects and intentions of the Commissioners. The answer of the Deputy Commissioner to the Clergyman was, that the Commissioners intended to take advantage of 10 or 12 parish workhouses for the purpose of classification. At first sight, nothing appeared more simple than this scheme of classification. But what sort of classification was this? Why it was to send the poor man to one corner of the union—to send the poor woman to another corner of the union, and to send their children to a third corner of it—thus separating the husband from the wife, and the husband and wife from the children, and sending the children to be educated without any communication with them, and not necessarily in the principles of the Established Church. He would ask whether this was the law of England? No, it could not be the law. Then he would ask their Lordships whether they would leave it in the power of any set of individuals to make such the law of the country? Regulations drawn up by such men, laid before the Secretary of State for the Home Department, and then submitted to the Privy Council might become the law of England. What he complained of was, that there was no responsible person to answer for those arrangements. He wished to know who was to correct him if his statement should turn out not to be misstated? He believed that the petition had been sent to the Secretary of State for the Home Department, who naturally said, that he had nothing to do with it; that it was no business of his. Until the regulations of the Commissioners had been sent in and submitted to his Majesty in Council, the Secretary of State could not interfere in the matter. He begged to know who could? There was no one in Parliament responsible. He had a high opinion of the Poor-law Commissioners, and particularly of his right hon. Friend the Chief Commissioner. But the evil was, that the Commissioners were called upon to make regulations, taking the power of relief out of the Magistrates hands, and placing it in those of overseers and low farmers, who were the least inclined to attend to the wants of the poor. The poor had been threatened with certain arrangements by the Commissioners, and what they had not been threatened with their fears created. The poor of the parish from which the petition proceeded were waiting in anxious expectation in the hope that the Legislature would change this part of the late Act. He feared, that if the poor saw themselves separated from their wives and children they would give themselves up to a feeling of sullenness and discontent that would be very dangerous to the country, particularly at the present time, when so many evil-disposed persons were going about the country and doing and saying all they could to excite the bad passions of the people. He implored their Lordships not to allow this experiment to go on any longer, but, for God's sake, to set the people's minds at rest upon the subject, lest the consequences should be dangerous to the tranquillity of the country.

The Duke of *Wellington* said, my Lords, I certainly agree with my noble Friend that it is most desirable to avoid, by every means in our power, exciting the minds of the people on questions of this nature, and I, therefore, wish that my noble Friend had attended to his own maxim before he presented this petition, and made the statements which he had just made. My noble Friend would have done better if he had ascertained before he presented this petition, and he had the power of ascertaining, whether the circumstances mentioned in it were founded on fact? I will take the liberty of calling the attention of my noble Friend, and of your Lordships, to one or two clauses in the Poor-law Amendment Bill, and by doing so I think I shall be able to show your Lordships and my noble Friend how the law precisely stands. By the 4th clause of that Act the Poor-law Commissioners are obliged to record all their proceedings; and, what is more, if they are called upon, they must furnish copies of these proceedings. I know that the petition was mentioned at the office of my right hon. Friend, but my right hon. Friend had no means of making inquiry into the case. He had no knowledge of the circumstances of it, and therefore, he could do nothing on the subject. But I really think that it would have been better both for the noble Marquess (the Marquess of Chandos) who presented a similar petition in another place and for my noble Friend, before they presented their petitions to Parliament to have waited until they saw the proceedings advised by the Commissioners, and until they could make themselves certain that there was a foundation for the charges brought forward against those Gentlemen. Besides, there is a clause in the Act which requires that the Commissioners shall make out a yearly Report, and submit it to the Secretary of State for the Home Department. A year has not yet elapsed since the Bill came into operation, consequently the Commissioners could not make the yearly Report required of them. As I was coming into this House to-day a paper was placed in my hand upon the subject, which as yet I have had no time to read. If the noble Duke will postpone the presentation of the petition until to-morrow, or until some other day, or the discussion of it, I venture to say, that information will be obtained fully to justify the Commissioners for anything they may have done. If the Government had received proper notice I should have taken care to obtain the necessary information on the subject, and should have known how to act.

The Duke of *Buckingham* had been wrongly charged with making an attack on these Commissioners without their being sufficiently informed of the matter. They were fully aware of the question. If the noble Duke had read the petition, he would have seen that the petitioners had addressed a letter to the Commissioners, stating the whole case. He could not postpone presenting the petition, but he was willing to postpone the discussion.

Lord *Brougham* said, that undoubtedly it would be best to postpone the question till further information had been obtained; but it was just one of those unfortunate consequences of the proceeding adopted by the noble Duke, that it was sure to attract attention, so that they were not at liberty to postpone the further consideration of the petition till to-morrow, but it must be answered now, lest the statement should go forth to the country uncontradicted. He was therefore obliged, without the accuracy and fulness of detail which the noble Duke (the Duke of Wellington) desiderated on so important, and he must be permitted to say, so delicate a question with regard to the feelings of the Commissioners, to go into the matter now. He did not complain of the noble Duke presenting this petition, but he must be permitted to say, that he lamented, lamented without blaming, the occurrence, as having a tendency to alienate the public mind from that confidence which ought to be bestowed on the Commissioners, who he would venture to say, deserved it most fully, not only from their character but from their conduct, and to which they were most especially entitled from their conduct in their present office. These statements had a tendency to alienate the public mind from these Commissioners—to sow suspicions as to their actions—suspicions which had no foundation whatever, and which were absolute chimeras. The noble Duke presented this petition, as he was perhaps bound to do, having had it laid before him; but the noble Duke would be the first to be satisfied with the answer given to it, and so far it was gratifying to reflect that the presenting of the petition afforded an opportunity of at once contradicting the mis-statements it contained, mis-statements which had been pretty widely circulated. Nothing could be more candid than the manner in which the noble Duke had brought forward this petition; and considering the belief he gave to the statement he had been instructed to make, there could be no wonder at the terms in which he had expressed himself. There was one thing in which it was impossible to agree with the noble Duke, namely, that things had been threatened which had not been done, for he should show that it was not so; but there was one thing in which he fully agreed with the noble Duke, that things were apprehended which were not even threatened, and he should show their Lordships that things were apprehended which had never entered into the minds of the Chief Commissioners, or of any Sub-Commissioner, which they had never even dreamed of, and which had never been imagined but by these petitioners themselves. He should proceed to state what it was absolutely necessary should be stated in order to show the glaring, the almost inexplicable mistakes into which the petitioners had fallen. He entirely agreed with the observation, that when individuals were in a certain state of mind they were more especially apt to apprehend the infliction of evils which had no existence but in their own imaginations. That such was the case in the present instance he should speedily demonstrate to their Lordships. From the statements in the petition their Lordships might suppose that the union of the district of which Stoke Poges formed a principal part, had been volunteered by the Commissioners, and, that, notwithstanding the most urgent objections, and notwithstanding the numerous memorials which were presented against it, they obstinately, inconsiderately, and even without the formality of an inquiry, proceeded to carry it into effect. Now the real fact stood thus:—To the subject of the union the attention of the Commissioners was called by a memorial —presented to them, by whom, and from what quarter? By a number of parishes in the hundred of which this Stoke Poges formed a principal part. By what persons was this petition signed? By the landowners, the assistant Commissioners, the Magistrates, or by the parish officers? No; but by the paupers themselves, who in the document, complained of the bad management of the poor in those parishes, set forth the particulars of that bad management in full detail, and in conclusion, strongly urged the attention of the Commissioners to the propriety of forming a union of the parishes in question. With this memorial the Commissioners did not rest satisfied, but they immediately made inquiries, entered into an extensive correspondence, and adopted every possible means for ascertaining whether the state of those parishes was such as to render a union desirable. This correspondence confirmed, instead of rebutting the statement of those paupers. Still the Commissioners were not satisfied. They acted as in common discretion they were bound to do. They sent an Assistant-Commissioner to the spot, that he might examine with his own eyes, and hear with his own ears, all that could be seen or heard upon the spot. The Assistant-Commissioner visited the several parishes, and after due inquiry and personal observation found ample information of the statements in the memorial. Yet, he was not satisfied. He went to Salt-hill which he considered as a central position, and by public announcement convened a public meeting of all persons who inhabited the district. There was no exclusion. Overseers, Magistrates, and paupers, if they chose, might have attended. The meeting was a very numerous one, and the Assistant-Commissioner then explained the state of the case, detailed the powers of the Act, dilated on the Representations which had been made to the Commissioners set forth the state and management of the poor in the several parishes, and finally stated the disposition which existed on the part of the Commissioners to accede to the prayer of the memorial. He presented the meeting with no formal plan, but merely stated the disposition of the Commissioners to form a union of the parishes. Without one dissentient voice the whole meeting warmly approved of the proposition. [The Duke of *Buckingham:* How was the meeting attended?] He was told that the meeting was very numerously attended, and the information which he had received was certainly more accurate than that of the petitioners. Their Lordships recollected, that the first objection was, that the union had been volunteered by the Commissioners, and that it had been precipitately and inconsiderately effected. Now it appeared that the very contrary was the case, and that men in no situation could have proceeded with greater caution, or fenced themselves round with more securities, in order to prevent any impolitic and improvident arrangement. It was next affirmed that the Commissioners gave no consideration to objections, that they hastily overruled all that were made, and altogether acted as if they were obstinately determined to be guided only by their own judgments. He had a paper in his hand—which he would read if he could, [*there was a want of light in the House*] but which was at the disposal of the optics of any noble Lord—showing that to every objection the utmost consideration was given, that each was successively gone over, and that the reasons for not entertaining those objections were stated. By the same paper he found that the last objection made to the Commissioners was not overruled. Being anxious to meet so far as was consistent with their duty the wishes of the parties who made the representation, those Gentlemen sent for the Assistant-Commissioner, and after an attentive consideration of the subject they found themselves enabled to comply with the request, not to build a workhouse at Stoke Poges. This they acceded to, because they found the purposes of the union could be effected without resorting to such a measure. Now he begged their Lordships to observe, that one of the principal objections related to the building of a workhouse on Stoke Poges Common, and that the commissioners yielded to the representations made to them. It was unnecessary to go into detail; but if it were necessary he doubted not that he could go over the whole objections, and prove to their Lordships' satisfaction that they were not overruled without good reason. He would now refer to the statement of the petitioners, that their parish was excellently managed, that by the blessing of God (a phrase which he did not disapprove) they had not been visited with those evils which in other parishes had been so grievous, that there was no agricultural distress, that the farmers were contented with their men, and the labourers with their employers; that within the two last years there had been a decrease in the rates, that the workhouse was excellently, admirably managed, that it could not be better conducted, that Stoke Poges was as well off in respect to their poor as most parishes, and that there was no need of the Commissioners' interposition. Now, from the facts which were in his possession he should be able to show two things: first, that the parish was not so well off as the petitioners stated; and secondly, that they had no reasons for supposing that they were in so happy a condition. They did not know how much better the affairs of other parishes were administered, they had not an opportunity of comparing their own expenditure with that in other places. Their contentment would doubtless be somewhat disturbed when they heard the statement he was about to make to their Lordships. As to the total want of agricultural distress in that respectable part of Buckinghamshire, he had no doubt that their Lordships would have had a very different account had the petitioners been addressing them on the Repeal of the Malt-tax. He had no doubt that in that case the inhabitants of Stoke Poges would have raised their voice and piped very loudly, though in a different tune, of the overwhelming distress of the farmers, of the great abundance of labour, and of the non-employment of hands. All those fairy prospects which shone forth in the petition before the House would have been obscured by a cloud of no inconsiderable density, if that unfortunate monosyllable "malt" of which they hade lately heard so much, had had a place in the petition. He would suppose the state of things to be as they said; but still he should not withhold from their Lordships the fact, that the scale system prevailed in Stoke Poges, and that too with the highest degree of exacerbation. Yes, in Stoke Poges was to be found that very worst of all the worst consequences of the mal-administration of the Poor-laws. In no parish could it be found worse than in this. The petitioners expatiated on their admirable workhouse system: they put it forward as if it were a model of such economy. Now, it so happened that this workhouse had been examined before this controversy arose, and the report was, not that it was the best in England, but, that it was exceedingly bad. He would not say that it was the very worst, but it was wholly destitute of the main and essential particulars of workhouse economy. The petitioners boasted of the manner in which the children were taught. There were very few—there were only three—bastard children, and on examination it appeared that they usually idled away their time, and that their personal condition was not that of absolute cleanliness. With regard to their intellectual acquirements it turned out that they were ignorant of the letter which followed A. Now, he did not say that this was no better than not knowing even the letter A, but it was a very sorry foundation for the petitioners to rest their boast of the children being taught reading and writing. No doubt they might be taught; but if they were not made to learn he really thought the residence of a schoolmaster in that district was not of much advantage. "Then," said the petitioners, "we have greatly lowered our rates." That might be true, and the parish still be in a much worse condition than many others. These matters were to be judged of by comparison. He had in his hand a return of the whole of the seventeen parishes comprehended in the union, and in this return he found that the expense of paupers per head in one parish was 3*s*., in another 3*s*. 3*d*., in a third 3*s*. 4*d*., in a fourth 2*s*. 8*d*., and in a fifth, as low as 2*s*. 6*d*. This last parish, and he named it to its honour, was Dawney, in which the workhouse was well managed, and which did not complain of the union, or join in the petition before the House. He now came to Stoke Poges, and the expense per head there was 4*s*. 1½d.—4*s*. 1½*d*.! They might be well off, but surely that was a large sum to pay per head. There were not three parishes in which the amount was higher. At Eton the amount was 4*s*. 10*d*. There, he hoped, the children had got somewhat beyond their first letters. In another parish the amount was 4*s*. 4*d*.; and then came Stoke Poges, which alone boasted of its excellent management, which alone objected to the union, and which unquestionably was the worst managed of all the parishes in the union. If the expenditure per head, together with the population of 1831, was compared with the expenditure and population in 1834, it would be found that in 1831 the average was no less than 11*s*. 9*d*., and now it was within a fraction of 15*s*. Why, that enormous increase of the rates was one of the great evils which pressed upon the country, which threatened to swallow up all property, which made their Lordships pass the Bill for amending the Poor Laws. If, indeed, the rates had been lowered, as alleged by the petitioners, it was not owing to the good management of the poor, but to some accidental circumstance connected with the population of the parish. The calculation on which they went was a very common one—it was the proportion of the rates to the population—the shillings in the rate being divided by the amount of the population. Of the population of a place this calculation was not a good test, neither was it of the good management of the poor, certainly not of the real increase or decrease of the rates, though it might be a loose criterion of the financial capabilities of a parish. By such a calculation the next best to Stoke Poges in respect to a diminution of rates was Eton, which was remarkable for its bad management, and which paid 4*s.* 10*d.* per head, being double the amount of that paid where the expenditure was the lowest. He would next call the attention of their Lordships to the advantages which they might expect to flow from the formation of a union. There were fourteen or fifteen workhouses in the union, each with its own set of officers—in some parishes too few, in others more than sufficient.—The union would require but one set of officers for the different parishes, thereby effecting a considerable saving, and giving to each parish the inestimable benefit of effective and co-operating officers. After all, it might be said that it was impossible to form the union without making Stoke Poges, in consequence of its peculiar position, one of the incorporated parishes.—There was one important part of the noble Duke's statement—to which he would not have adverted before taking the precaution of making some inquiries. The noble Duke had been on this point most egregiously misinformed, and he should be accessary to deceiving their Lordships if he omitted to state the real facts. He was enabled to give the most positive, distinct, and peremptory contradiction that words could express to the whole and to every part of the statement as to the alleged separation of children from parents, and husbands from wives. Never was an intention of the kind entertained. There never was a dream of such a proceeding. No man talked of separating the husband from the wife, or the child from the parent. It certainly was true, that one or two of the workhouses were to be converted into hospitals, and that to these the sick only were to be sent. No one could approve of herding the sick with the healthy, though under the old system such was the case. The three bastard children to whom he had before alluded, actually lived with nineteen diseased individuals in that receptacle which had been put forward as the *beau ideal* of a workhouse. That an infirmary should be in one place, and a workhouse in another, was a very natural opinion of the Commissioners; but there was not the slightest ground for charging them with an intention to take children from their parents, much less husbands from their wives. To convey wives to one part of a parish, and husbands to another part, never entered their imagination in their waking moments, and he doubted, whether it entered it in their sleeping hours. It was said, that this intention was announced by the Assistant-Commissioner, and the name of an hon. and rev. Gentleman had been introduced as having given currency to the statement. [The Duke of *Buckingham*—I was told by the overseer.] He was quite aware of that. The overseer, however, got his information from the Clergyman and not from the Assistant-Commissioner. That was what the noble Duke stated, and that accounted for the way in which such stories became current. One person might say—"I should not be surprised if these hardhearted Commissioners separated wives from their husbands." Another would say—"I have no doubt of it," and thus the story in the course of its transit gathered weight, till at last its bulk and weight were so increased as to be very formidable to the parties it affected. He was assured, that if proper inquiry was made, the Assistant-Commissioner would be found not to have originated this report, or in any way to have led to its propagation. The Commissioners were not persons of the stamp which the entertaining such an intention might lead their Lordships to suppose. It was true they had the power of removing children from the workhouse, and so had the overseers under the late system, when the children arrived at a certain age; but he again declared, that there was not the slightest ground for the misrepresentation which had been made, causing great indignation and apprehension in the people, as well as great evil to the Commissioners, and great inconvenience, impediment, and obstruction of those gentlemen in the performance of their difficult duties. If their Lordships gave encouragement to the clamour which was raised against them by prejudiced and ignorant persons, an end must be put to the further proceedings of the Commissioners; for it would be altogether impossible for them to do their duties. Whenever a parish wished to be excepted, as in the present instance, from a just and necessary disposition, a similar clamour would infallibly be raised till the Commissioners were overruled, and their labours suspended. His noble Friend had complained, that the same justice which was dealt out to Egham was withheld from Stoke Poges; but did not his noble Friend, who, for acuteness of argument, was second to none, did he not perceive that the decision of the Commissioners rested on this; whether or not Stoke Poges stood in the same situation as Egham. He supposed the noble Duke took Egham as a mere example, for of that place the Commissioners had never heard one word, except, perhaps, when they were going to Windsor. [The Duke of *Buckingham*—Egham was mentioned to me.] The Commissioners, then, had never heard the name of Egham. But to go on with his observation. Did not the noble Duke perceive that Egham, or any other place, might make out an excellent case, which it would be gross injustice and the absurdest folly to refuse, while, on the other hand, the case of Stoke Poges might be such as to render it equally absurd and unjust to grant the application. He had thought it his duty to refute the charges which had been made against the Commissioners, and to justify them in the opinion of their Lordships and the other branch of the Legislature. While on the subject he might state one or two instances to show that the Commissioners were not abusing their authority, and that they were wisely carrying on the objects of the Poor-laws' Amendment Act. In so doing, he should only do justice to the Commissioners, who had been grossly attacked. In all the general regulations which were promulgated by them, they had endeavoured to urge parishes to improve themselves, to do what they could with the law as it now existed, and to postpone to the last moment any extensive alteration. He thought they acted in that soundly and discreetly. He was one of those who, when the Poor-law Bill was under consideration, expressed an apprehension lest the Commissioners should go on too fast, and, at the same time, stated his opinion, that they ought not to do so. To that suggestion of their Lordships, the Commissioners had not been inattentive, and in adopting it, they acted as wise and honest men. They would, doubtless have taken the same course had there been no such suggestion; for they were able, experienced, and intelligent men. But although they had not altered the law, it did not follow that they had done nothing. They had effected unions to the number of fifty, and the parishes, comprehended in those unions, amounted to 1,000. To the whole of these parishes the consequences had been most advantageous—the change had led to a more economical as well as a more judicious administration of the law. To the formation of the unions there had been no objection—to the proceedings of the Commissioners there had been no objection—and by paupers, as well as parishes, had they, in almost every case, been well received. Some persons were, however, prejudiced against the Commissioners, and in a certain parish which he would not name, and which was not very far from the county of Bucks, but was even affected by the union of these parishes, a certain person had such an objection to the Board, that when he was told he had made a mistake in the administration of the Poor-law Act, and was advised to read the Act, he gave an unconditional and peremptory refusal. " No," said this worthy individual (and he would not trouble their Lordships with the little expletives he used), " No, I have never read this Act, nor will I ever read the Act." Now, if persons would not read the Act, and if they made vows and internal covenants not to read it, was it unlikely that they should fall into errors, and should commit mistakes in fact as well as in law? He would now show their Lordships that the proceedings of the Commissioners had not been unattended by excellent effects. Without resorting to the formation of unions, they had done all they could by suggestions, by representations, and by holding out the prospect of unions where parishes did not want them. A course to which he had no objection. This they did for the purpose of obtaining a good voluntary administration of the existing regulations. Admirably had they succeeded, and in no place more so than in this great metropolis. In one parish, the saving effected by the change amounted to 11,000*l.* a year; and in eighteen parishes a saving of 40,000*l.* had been effected within one year. This they had effected by the new system of management, by their steadiness and determination, and by their known resolution to adopt and adhere to the most expedient plans. In Lancashire and part of Buckinghamshire, the advantages of a Central Administration had been fully demonstrated. It had been shown with what facility a body of men, acting with one common agreement and concert, could transfer the surplus population of one district to the thinly populated parts of another—could relieve the over-populous districts in the country to the advantage of Manchester and other manufacturing places where labour was eagerly demanded. So effectually did they keep up the communication, that a great number of meritorious individuals, especially women and children, whose condition in Bucks was by no means enviable, had been transplanted to Manchester, where their former miserable pittances had been exchanged for the most comfortable wages. He had seen several letters written by individuals whose change of situation had been attended with such advantages, and in one of them was the following forcible expression:—"We are now so well off, that all the horses in Bucks could not draw us back again." He would give another instance of the advantages of the new system—he did not say it was much—but still it was worthy of attention. In several parishes banns of marriage between individuals in the lowest classes had been read a first time, but as soon as a union of parishes, and the introduction of a more judicious management of the poor was proclaimed, the second and third reading of the banns were suspended. "When we put up those banns," said they, "we anticipated that our marriage would entitle us to parochial relief. But as we know you withhold the Supplies, what use in our bringing forward the Budget—what use in our laying down our Estimates." There was another fact he would mention. In consequence of the better management of the poor the consumption of spirits in some neighbourhoods had been considerably reduced. In one neighbourhood with which he was acquainted, the gin-shop had been closed. This had been almost wholly supported by the paupers, and the proprietor of another had declared, that this Act had been the means of taking out of his pocket 40*l.* or 50*l.* a-week. This was a statement made to him by persons on whose accuracy he could rely, and which he the more readily credited from his knowledge of the quarter to which it referred. He had received other statements to a similar effect, but he should not trouble their Lordships with them. These were only beginnings. At present they were only in the green wood. From these instances he did not mean to hold out to them the entire success of the future operation of the new system; but he merely called their attention to what had hitherto been its effect, in order that they might patiently await the further trial. He had however omitted to state, that the application for certificates to form Friendly Societies, had been doubled within the last six months. From all that he had stated, he thought their Lordships would be of opinion, that the Act was about to be carried into a good and wholesome operation. It would be quite absurd at the present time to search for the effects, and to lay by the instrument before the operation had actually taken place. It would be just as unreasonable as the conduct of a celebrated German Prince somewhat too eager to ascertain the effects of his Reforms, of whom it was said, that he was like a child who planted a tree, but, impatient for its growth, was constantly digging it up to discover the progress which it had made. Were there Lordships to interfere injudiciously with the Commissioners, they would act like the child; prevent the natural influx of the moisture, and either stunt the tree in its growth or altogether destroy it. If groundless complaints were cherished by their Lordships against this measure before that time which was absolutely necessary for its trial had elapsed, the result would be the conversion of that House into a Court of Appeal for all those parishes which might fancy they were aggrieved by the proceedings of the Commissioners. He did not complain of the parish of Stoke Poges making the statement they had to their Lordships; but he called upon that House to act with candour to the petitioners, and common fairness to the Commissioners. Were their Lordships to give ear to the petitioners, and call upon the Commissioners to reply to their statements, he was confident that their explanation would not only be triumphant to themselves, but satisfactory to their Lordships. He knew from his own investigation, and scrutiny of their proceedings, that such would be the case; and on that account, he was the more anxious that their Lordships should at present refrain from any interference. On that account, too, he had at once stated the case, rather than that there should be any delay, for the purpose of communicating with the Board. If their Lordships once set the example of making their House the Court of Appeal for such matters, the consequence would be that every place having any sinister motive, or labouring under some inexplicable delusion, would come there, and not only take up their Lordships' time, though at present they were not overburthened with Parliamentary business, but would interfere with that of the Commissioners, needlessly put them on their defence, and in a very short time render their Commission a perfect nullity. Their Lordships had no conception of the bulk of the correspondence through which they had to wade—of the hundreds, the tens of thousands, of letters, which the Commissioners daily received. Their Lordships could have no conception of the numerous letters and documents which they had inspected in order to furnish him with those facts which he had briefly related to their Lordships. Their labour was not to be estimated by the scantiness of the statement, but the necessity they were under of satisfying themselves, that such and such occurrences had or had not taken place, and of proving the absolute negative of many probable suppositions. He again repeated, that if they gave any ill-advised encouragement to petitioners, the Act they passed last Session would be virtually nullified, and he earnestly hoped, that it would only be on some great and extraordinary occasion that they would deviate from a principle which ought to govern the proceedings of that House—a principle dictated alike by justice and prudence.

Petition laid on the Table.

HOUSE OF COMMONS,

Tuesday, March 17, 1835.

MINUTES.] New Writ ordered. A New Writ was ordered on the Motion of Mr. VERNON, for Nottinghamshire (North) in the room of Lord Viscount LUMLEY, now Earl of SCARBOROUGH.

Bills. Read a second time:—Witnesses' Indemnity.—Read a third time:—Exchequer Bills; Transfer of Aids.

Petitions presented. By Lord CHARLES RUSSELL and Mr. DUNDAS, from the Licensed Victuallers of York and Tavistock, for the Repeal of the Additional Duty on Spirit Licences.

DISSENTERS' MARRIAGES.] The *Chancellor of the Exchequer* said, that the Motion with which he should on this occasion conclude, would have for its object to effect the settlement of a great and important question, which was of great consequence to the public, and which interested a large portion of the community. It was a question which had been for a long time unsettled, and to settle which various, but ineffectual attempts, had at different times been made; and, if it were once set at rest on proper and satisfactory principles, that would tend to promote harmony, peace, and contentment among those who adhered to the principles of the Established Church of England themselves, as well as to those who conscientiously dissented from the principles of that Church. The object of the Motion which he should submit to the House was, to provide relief in regard to the celebration of the ceremony of marriage to those Dissenters from the Church of England, who objected to having the ceremony of marriage performed as at present required according to the rites and ordinances of the Established Church. It was no doubt known to all who heard him, that in the year 1754, an Act had passed, 26 George 2nd, commonly known by the name of Lord Hardwicke's Act, which made a great alteration in the law of this country in respect to marriage. By that Act, it was provided, that no marriage ceremony should be performed by any clergyman, excepting by a clergyman of the Church of England, and according to the rites and ordinances of the Established Church. The only exception made was in favour of Jews and Quakers, who were allowed to contract marriage according to their own forms and ceremonies. The Dissenting body objected to the provisions of that Act. They alleged that there was no relation in life which tended more to the happiness of individuals, and the general good of society, than that of marriage; and they objected to a law which rendered that relation invalid, unless it were contracted according to rites, and in conformity to ceremonies, in which they could not conscientiously concur; and they, therefore, required of the Legislature the enactment of such a law, as would enable them to contract the ceremony of marriage, without being compelled to go through those forms and ceremonies, from which they conscientiously dissented. That was the objection brought by the Dissenters to the law as it now stood. Now, he would say, that if the scruples of the Dissenters were really sincere, that no one could deny, not only the justice, but the policy, of affording them the relief which they required. The Church of England could have no object in calling upon those who conscientiously dissented from its tenets and principles in all other matters, to contract the ceremony of marriage according to the rites of that Church. Neither had society any interest in requiring that such a ceremony should be performed. It was not sufficient to say, that the ceremony of marriage, as contracted according to the rites of the Church of England, was a mere form of words, and that the persons so contracting marriage were not called upon to subscribe to any of the doctrines or principles of that Church. The persons contracting marriage received, according to the rites of the Established Church, a solemn benediction from the mouth of the clergyman, expressly and avowedly for the purpose of giving a religious sanction to the ceremony; and if the contracting party could not conscientiously comply with the ceremony, or concur in that benediction, it ceased to be that solemn and religious ceremony which was intended. Under those circumstances, it became necessary to consider what mode of relief could be afforded to Dissenters; and it occurred to him, that of all the plans proposed, there were only three which were at all feasible, or by which the object the Dissenters had in view, could possibly be accomplished. In the first place, it had been suggested as a remedy, that it might be possible to alter the ceremony of the Church of England. But the alteration in that ceremony would, in his opinion, be a violation done to the consciences of those who, adhering to the doctrines of the Church, entirely approved of that ceremony. There was nothing in that ceremony, to which they felt the slightest objection; on the contrary, the benediction, and all the proceedings contained the essential and vital principles of their faith. The members of the Church of England, therefore, had a fair right to object to the alteration of a ceremony with which they were perfectly satisfied, and which was entirely conformable to their feelings and doctrines, provided that any other mode of satisfying the conscientious scruples of those who dissented from the Church, could be discovered. Besides, the only object that could be gained by such an alteration, would be, provided a concomitant enactment were passed for the purpose, that no marriages should take place, unless they were solemnized according to the altered form. Because, if the form of the Church of England were altered in the first instance, and parties were afterwards left to perform what rite they pleased, for the purpose of giving a sanction to the act of marriage, it was quite clear that nothing would have been gained; and, on the other hand, if it were made compulsory on all parties to celebrate the ceremony of marriage according to the altered form, he believed it would be quite impossible to establish any rite, to be performed in the Church of England, by a minister of that Church, which would be satisfactory, without exception, to the whole Dissenting body. In fact, there were, he believed, some parties who objected to any religious ceremony at all. Others there were who did not object to the religious rite, but who objected to the principle of being compelled to solemnize the act of marriage in the Church of England, or through the aid of a minister belonging to the Established Church. The result, therefore, of any attempt to alter the marriage ceremony of the Church of England, would probably be, that the Legislature would do violence to the consciences of the members of that Church, and at the same time give no satisfaction to the Dissenters, but the reverse, if the House were to compel them by law to celebrate their marriages according to a certain ceremony, let that ceremony be as different as it might from the existing one. In his opinion, therefore, it was not expedient to attempt any alteration of the religious rite of the Church of England, with the view of giving satisfaction to the Dissenters, especially without knowing whether such an alteration would meet with the general concurrence of the members of the Church. But even if the concurrence of the adherents of the Church were obtained, he did not know whether it would be proper to adopt the plan, for he could not hope to make such a change in the present ceremony, as would give satisfaction both to all classes of Dissenters, and to the members of the Established Church. He, therefore, dismissed from his mind all hope of settling the question by the adoption of that plan—namely, by an alteration in the Liturgy of the Church of England. The second mode by which it might be possible to give relief to the Dissenters, and a mode which had been hitherto almost always tried was, to make some provision by which Dissenters should be able to perform the ceremony of marriage within Dissenting chapels, and various Bills had been submitted to the consideration of Parliament, since the year 1824, some of which had passed the House of Commons, founded on the principle of giving permission to Dissenters to celebrate the marriage ceremony within their own places of worship. In 1824, a measure was introduced for that purpose, but it provided relief solely for the case of the Unitarians. In 1825, another Bill was brought in for the same object; and in 1827, a measure was introduced founded on a different principle. At length, in 1834, the noble Lord opposite proposed his Bill, and that was the last measure on this subject which had been submitted to the consideration of Parliament. The noble Lord's Bill was founded on the principle of attempting to give perfect satisfaction to the Dissenter, by permitting him, under certain regulations, to celebrate the ceremony of marriage in his own Dissenting chapel. He would proceed to describe the provisions of that Bill. In devising any plan for the relief of Dissenters, in respect to the celebration of marriages, it was necessary to consider three points, each of which was of essential importance. The first was, the notice which should be given (either in the way of license, or of bans, or by some other mode), by the instrumentality of which the commission of fraud, and the celebration of clandestine marriages, might be prevented. The second point was the nature of the contract or ceremony which should be performed. The third point was the mode of registration. The noble Lord's Bill provided for these three separate and important objects in the following manner.—The noble Lord proposed that the bans for the marriage of a Dissenter, should be published in a Church, by a minister of the Established Church, in the same manner as bans were at present published; that a declaration of the fact of the publication of the bans, should afterwards be given by the minister of the Church, and that the Dissenter should then be allowed to celebrate the ceremony of marriage in a Dissenting chapel, duly licensed for that purpose. The noble Lord's Bill also enacted that a license should be issued for the solemnization of marriage in any Dissenting chapel, provided that an application for such license should be made by twenty householders; and the Quarter Sessions had no power to withhold the license, if so applied for. The bans of marriage having been previously published by a minister of the Church of England, the Dissenter was at liberty to have his marriage solemnized in one of the licensed chapels. With respect to registration, the noble Lord's Bill provided, that the minister, teacher, or preacher, who officiated in the licensed chapel, should keep the registry of the marriages; that the book should be provided at the expense of those who frequented the chapel for the purpose of worship; and that, after a certain period, the registry should be transmitted to the register of the diocese, to be kept by him. Such were the provisions of the Bill brought in by the noble Lord, unquestionably with the best intentions, and for the purpose of giving satisfaction to the Dissenters; but it was open, in his (Sir Robert Peel's) opinion, to objections; and, first of all, to this very powerful objection—that it gave no satisfaction whatever to those it was intended to relieve. The grounds on which the Dissenters were displeased with that Bill were stated in various petitions presented to the House; and he would refer to one of those petitions, in which their objections were very briefly but emphatically expressed. The petition to which he alluded was presented in the course of the last Session, and it contained a solemn and decided protest on the part of the Protestant Dissenters, against the Bill of the noble Lord, which they opposed on the following grounds;—1, because they objected to the celebration of marriages in places of worship exclusively; 2, because they objected to the publication of bans in parish churches, and to the granting of licenses by surrogates; and 3, because they felt, that the affixing the license granted for the solemnization of marriages in some conspicuous part of their places of worship would give rise to feelings, which it would be better to avoid exciting. It would be seen, therefore, that very material objections were entertained by the Dissenters to the measure proposed by the noble Lord. In his opinion, the third objection was one of minor importance; but still it must be remembered that it was put forward by the Dissenters themselves. Besides these objections, there were others which he thought might be urged to the noble Lord's Bill on general grounds. The noble Lord proposed to permit the marriage ceremony to be solemnized in any place licensed for that purpose on the application of twenty resident householders. Now, he was sure, that, however, they might differ on matters of religion, they would all be of one opinion, as to the extreme importance to society of taking effectual precautions against fraud, and the celebration of clandestine marriages. In his opinion the Dissenters were equally interested with the rest of the community in the adoption of these precautions, for the sake of the peace of their own families, as well as for the general interests of society. And he thought that, as such precautions were in a great measure effectual in the case of members of the establishment, he was not going too far in saying, that the members of the Dissenting bodies must be peculiarly anxious to have similar precautions adopted in respect to themselves. Unless effectual precautions were taken in their case, the Dissenters, and particularly the female members of their families, would be subject to be practised upon by imposition and unfair artifice. It was quite clear, that society in general was interested in taking effectual precautions against the commission of frauds in this matter. In making new regulations, it was necessary not only to take into consideration the regulations already existing, but also the means which might be afforded, in consequence of the alteration of the law for the commission of fraud. It was well known, that the law placed no impediment in the way of the registration of Dissenting chapels; the law imposed no test by which the character of Dissenting chapels could be known. Any parties wishing to register a place for the purpose of religious worship had only to apply in proper form, and on the payment of half-a-crown the registration was effected as a matter of course, and the place then became entitled to the protection of the law as a place of religious worship. It was not necessary that the place registered should be a separate building; and he apprehended, that if application were made for the licensing of a room for the purpose of religious worship, the license must immediately follow on the payment of 2*s.* 6*d.* If the noble Lord's Bill, then, had passed into a law, how easy would it have been for parties, on their application, though it might not be a *bonâ fide* application, to get a room licensed for the purpose of religious worship in the first instance; and afterwards, if twenty persons had made application, that that room should be licensed for the solemnization of marriages, there would have been no authority to prevent the issue of a license for that purpose. Where so general and promiscuous a license was given for the performance of the ceremony of marriage, great apprehension would necessarily be felt, that those frauds and evasions of law, against which it was so desirable to guard, would take place. The noble Lord proposed to permit the ceremony of marriage to be performed by any teacher or preacher. Now, it was undoubtedly true, that in some Dissenting communities, there were preachers with a fixed and stationary character, fully recognized as the ministers of settled congregations; but there were also some ministers who had no such fixed and stationary character, and who belonged to various congregations. The noble Lord's Bill, however, would have given authority to the latter description of preachers to celebrate marriages. It therefore appeared to him most desirable, in giving relief to the Dissenters, that the House should proceed on a principle which would apply equally well to all classes and kinds of Dissenters. With respect to registration, the noble Lord's Bill provided, that the registries should be kept by the minister, teacher, or preacher, that they should not only be in his handwriting, but also in his custody. Now, if this regulation were applied indiscriminately to all descriptions of preachers—both to those who had a fixed and stationary character, and to those who had no settled character—and they were invested with the important duty not only of making the registries, but also of keeping them in their custody, it was quite clear that sufficient precautions would not have been taken against the evasion of the intentions of the Legislature. But as the noble Lord's object was to give relief to the Dissenting body, it was the less necessary for him to refer to the other provisions of the Bill, since it had proved unsatisfactory to the Dissenters. It was quite clear, that the great object which the noble Lord had in view, had not been gained by the introduction of that measure. He had already alluded to two modes by which it might be supposed, on a first impression, that relief should be given to the Dissenters:—1st, to an alteration of the marriage ceremony of the Church of England, which he set aside as an ineffectual mode; and 2dly, to the mode adopted by the noble Lord, which continued the publication of the bans by the ministers of the Church of England, but which permitted the marriage of Dissenters to be solemnized by the ministers of the congregations to which they belonged. The second mode not having given satisfaction to the Dissenters, it therefore remained to be considered by what mode satisfaction could be given to that body, consistently with a principle which would admit of universal application without inconvenience or mischief. He would now, after much consideration of the noble Lord's Bill, which had proved unsatisfactory, not only to the Dissenters, but also to many members of the Established Church (for they had objected to be made the instruments of performing the preliminary ceremony of the publication of the bans, in respect to a rite which it was proposed should cease to be sanctioned by the religious forms of the Church of England)—he would now, he repeated, proceed to state to the House the principles on which he proposed to found a Bill, for the purpose of giving relief to the Dissenters. It appeared to him, that by far the most efficient and least objectionable mode of giving that relief was to propose two ceremonies, one a civil ceremony, and the other a religious ceremony; taking care to encourage, as far as possible, the religious ceremony, but not imposing it as an absolute and essential condition of the validity of a marriage. He would make the civil ceremony an indispensable preliminary of marriage. That was the security which he would require on the part of society. He would fain hope, however, that the ceremony of marriage would not, in consequence, be divested of its religious character; he believed that it would not. He believed, that so much importance was attached to the religious rite by the Dissenting body, that they would, in almost all cases, superadd the religious to the civil ceremony; and he doubted not, that the religious sanction so superadded would be more efficient as a sanction if left to be imposed by the parties themselves, according to such forms as were most acceptable to them, than if prescribed in the nature of a fixed ceremony by the Legislature. Every one must desire to see the religious sanction possess a solemn and binding character; but was it probable that it would have the effect of solemnity, or be of a binding nature, if it were not precisely in accordance with the conscientious feelings of the parties on whom it was imposed; but if it were, on the contrary, prescribed and determined by law, to which they would be compelled to submit? He repeated, that he would encourage as much as possible the religious ceremony, but he would not exact its performance as an indispensable condition of the validity of marriage. Indeed, it would be impossible for the Legislature to impose one fixed form of religious ceremony; it must be varied to suit the different opinions of the different bodies of Dissenters. The religious ceremony that would suit the Unitarians, would not suit the Independents, or the Baptists. But it appeared to him, that if the Legislature were to leave the Dissenting bodies to superadd to the civil contract of marriage such religious observances as were in accordance with their peculiar opinions, nothing of the value of a religious sanction would thereby be lost. In acting on this principle he was acting in precise conformity with the principle of a Bill which passed the House of Commons in the year 1827, and which proceeded in the House of Lords to a third reading, and which was then only postponed on account of the advanced period of the session. The Bill which related to Unitarians, was introduced by Mr. W. Smith, and the House would see from a description of its provisions, that it directly recognized the principle on which he now proposed to proceed. The Bill provided, that "the bans were to be published in Church. Where both parties were Unitarians, a certificate of the publication was to be given by the clergyman, on payment of the usual fee. On presentation of that certificate to a Magistrate, the Magistrate might marry the parties. The parties were required to make a declaration, that they were both Unitarians. Magistrates marrying the parties were required to give certificates of marriage, such certificates to be deposited in the parish chest, and marriages to be entered on the parish registry." Before he entered into an explanation of the particular details of the measure he proposed to introduce, he wished to show the House that the principle on which it was founded was recognized by the law of England previous to the Marriage Act of 1754. He apprehended that the law of England recognized marriage as a civil contract; and that it did not require, as an essential and indispensable condition of the validity of that contract, the performance of any religious ceremony. In the famous case of "Dalrymple *v.* Dalrymple," Lord Stowell, then Sir W. Scott, laid down that principle, and in support of his opinion, he referred to the judgment of Lord Holt, in the reign of Queen Anne, in the following terms:—"It was said by Lord Holt, and agreed to by the whole Court, that if a contract be *per verba de præsenti*, it amounts to an actual marriage, which the very party themselves cannot dissolve by release, or other mutual agreement, for it is as much a marriage in the sight of God, as if it had been *in facie ecclesiæ*." In Wigmore's case the same Judge said, "that a contract *per verba de præsenti* is a marriage, so is a contract *per verba de futuro*; if the contract be executed, and the man take her, it is a marriage; and they cannot be punished for fornication." Lord Stowell stated, that in the Ecclesiastical Courts, as well as in the Common Law, "the stream ran uniformly in the same course," and he referred to the case of Lord Fitzmaurice, the son of the Earl of Kerry, brought in the year 1732, before the Court of Delegates. In that case it appeared that the engagement to marry was made in the following terms:—"We swear to marry one another," and it was held that each party was bound by that declaration. The decision of the Court was to the following effect:—"The Court, composed of a full commission, paid no regard to the objection, and found for the marriage, and, on application for a commission of review, founded upon new matter alleged, was refused by the Chancellor." Lord Stowell next observed, that things continued on this footing till the Marriage Act of 1754, which was not intended to give the ceremony of marriage a religous sanction, as a religious sanction; but was only intended as a precaution against fraud and clandestine marriage. In making, therefore, the civil contract an indispensable condition of the validity of marriages, and leaving parties to superadd the religious sanction, he was acting in conformity, not only with the principle of the Bill of 1827, but with what was the principle of the law of England previous to the Marriage Act of 1754; and he thought he was only acting in conformity with the dictates of reason and good sense in not prescribing any precise religious ceremony, but in leaving the parties interested to fix for themselves such religious sanction as was best suited to their religious opinions. The principle of his Bill was also recognized by the existing law, because the Marriage Act of 1754 did not impose the religious ceremony as an indispensable condition in all cases, for that Act expressly provided that its enactments should not extend to the cases of Jews and Quakers. He knew that ingenious doubts had been expressed as to the validity of the marriages of Jews and Quakers; but he apprehended, that no man could doubt that the whole course of law established this position — that the marriages of Jews and Quakers were valid as far as regarded the legitimacy of the offspring, and the transmission of property. But in some of the possessions of the British Crown marriages could be performed without the intervention of a minister of the Established Church. In Ireland, the presence of a minister of the church of England was not necessary to give validity to marriages; neither was it necessary in India. There were others in that House better informed on the subject than himself, but he believed that, according to the existing law in India, a marriage performed either by a minister of the Chuch of England, or by a Roman Catholic priest, was valid; while a marriage performed by a Presbyterian minister was not valid.

Dr. *Lushington* stated, that an Act had been passed to legalize marriages performed in India by Presbyterian ministers.

The *Chancellor of the Exchequer* was not aware of that fact. He might extend his former remarks to the state of the marriage law in Newfoundland; but he thought he had said enough to show that the whole state of the Marriage Act required review and revision. In some of our dependencies, and even in this empire, it was far from being in a satisfactory state. Having said thus much of the general principles on which he proposed to proceed, he would now proceed to explain the enactments which his Bill would include. It would be recollected that the Dissenters had objected to the Bill of the noble Lord opposite, because it required the publication of bans in churches by ministers of the Established Church. The present method of notifying the intentions of Dissenters to contract a marriage with one of their own community was repugnant to the feelings of the Dissenters, but if he could devise any other mode by which effectual notice could be given, which should relieve the Dissenter from the necessity of conforming to the religious rites of the Establishment, and if he could introduce some simple form of notice, by which the conscientious feelings of a minister of the Church would be spared the pain of assisting in a ceremony which was in opposition to the forms prescribed by the Establishment, he thought that the object he had in view would be effectually answered. In some cases, also, it would occur that an individual might assent to the civil contract, but might not wish to have it confirmed by the performance of any religious ceremony. Now, his Bill would do a good deal to effect these objects. The form he intended to propose would be very simple, and if, when he had laid his views on this Question before the House, this was found not to be sufficient, why, then let the Dissenters join with him in framing one which would answer the ends better. If there were two parties who had an objection to the form of marriage as solemnized by the Church of England, they would have within their power the remedy which it was the object of the Bill to secure to them. But he did not wish to make this enactment compulsory on all who conscientiously differed from the doctrines of the Church. He did hope that the impediment of pride being removed, when it was no longer absolutely necessary for the Dissenter to be married according to the forms and establishment to whose doctrines he could not subscribe, he would, in many instances, not avail himself of the kind of relief proposed by the Bill. He would give the Dissenter every facility of being married elsewhere, if he preferred it, but he hoped that the Dissenter would be induced, unless there was some serious objection in his mind to the form of the marriage ceremony as performed in the Church of England, to conform to that ceremony. What he meant to say was, that he did not wish to repudiate and reject the Dissenter from joining in the performance of the common rites and ceremonies of the Establishment, if he thought proper to do so; but, on the other hand, if he objected to those rites and ceremonies, the Bill would give him a full and satisfactory remedy. He proposed, that a civil ceremony only should be performed between parties who objected to the marriage rite of the church; and to render them competent for the performance of the ceremony, it would be necessary that one or both of them should have resided, at least, seven days previous in a certain hundred, before the Magistrate of which the proceedings were to take place. The parties would have to give notice to the Magistrate of the hundred, who would preside at the performance of what he (the Chancellor of the Exchequer) would call the civil ceremony of marriage —namely, the acknowledgment of the contract between the parties. Each would have, on the ratification of the contract, to give a written certificate, stating that he or she acknowledged the contract to be binding. The form would be found in the schedule of the Bill, which he proposed to lay on the Table, and was of the most simple kind. Each party would then sign a form, acknowledging the other as standing in the relationship of husband or wife. The written acknowledgment, or completion of the ceremony, before the civil magistrate, was not to take place till after a period of fourteen days subsequent to giving the notice, and must take place within three months of the period. He preferred the proceedings before a single magistrate, although he was aware, that it might be said, that the security would be greater if the ceremony took place in the presence of several; but, when he recollected the nature of the ceremony, and the character of those who generally attended at the petty sessions, he was satisfied that it would be a relief to the parties about to enter into the strict relationship consequent on the contract, if he enabled them to enter into it before a single magistrate. He was sure that the grace and value of the gift would be diminished, if they made it requisite that the ceremony should be performed before a number of magistrates. He had now mentioned the nature of the relief which he intended to propose, and the nature of the civil contract he wished to recommend for those who objected to the performance of the ceremony in the church. At present it was necessary to make a declaration previous to procuring a marriage licence. He intended to propose, that a similar declaration should be made before the magistrate, on entering upon the civil contract; and the same oath, as on obtaining a license, would be administered, namely — that the parties were above the age of twenty-one; that the contract was with the consent of the parents or guardians; and that neither of them were aware of any legal impediment to the marriage. It might be said, that a door would be opened to clandestine marriages by the non-publication of bans. At present, however, nothing was so delusive as the publication of bans; such a complete change had taken place in the state of society, since they were adopted, that they gave no security for the object for which they were intended; he was convinced that most of the illegal or clandestine marriages that took place, were those where bans had been published. In many populous places, parties might have bans published, and their names escape observation. Under the system which he proposed, there would be no greater temptation to illegal marriages than there was at present. If the notice were incomplete, of course the magistrate would not suffer the contract to be completed. Where there were no religious scruples, it was not intended to alter the present form; but all that he had in view was, to relieve those who entertained objections to the marriage ceremony being performed in the Church by the clergyman. It appeared to him that the securities he had taken were quite as valid as those which existed on applying for a license. He was convinced that if he were to attempt to take superfluous securities, he would only diminish the value of the relief, which he was anxious to afford. He should previously have stated that he also proposed, that the magistrate before whom the acknowledgment of the contract was made, should take two or three copies of the form, which were to be signed by the parties, which would be the best evidence that could be obtained of the contract, and that one of these copies should be sent to the minister of the parish, whose duty it would be to keep the register of the civil contract of marriage. The Dissenters would not be brought into contact with the minister, but the magistrate would transmit to him one of the copies of the certificate, that the parties had entered into the contract. It had been said, that they ought not to call upon clergymen to enter the names of the parties in the register, when the ceremony was not performed by themselves, but he was sure that the Ministers of the Church would not object to become registrars. Whatever register, however, was adopted, he thought it desirable that they should, if possible, make it a common register, and not make distinctions. His own earnest wish was to leave this register, under the present state of things, in the hands of the ministers of the parish, being convinced that they would be less liable to inaccuracies than any other parties that could be chosen. He was aware, that there were some points that he might have passed over, but he trusted that the House would excuse him when they considered the number of matters he had had to consider during the sitting of Parliament. It was not possible for him to give several important matters the attention which he wished. Among other things, he had been unable to give the consideration he desired to some measure for a general civil registration. If they were not able to obtain a new registration on a general principle immediately, he thought that it was desirable, in the mean time, to avail themselves of that form of register which they had. By the mode which he proposed, they would have a civil registry in one place, and a religious one in another. With respect to the claims for compensation, and the fees to the clergyman, for the simple registration, he had little to say. He believed, that when those matters which affected the scruples of Dissenters, were removed, that there would be less objection than at present, to the performance of the ceremony in the Church, and still less to the payment of fees. He intended to propose that the whole amount of fees payable in the civil contract of marriage, should not be more than seven shillings. There would be no necessity for payment for a license in this case any more than at present, when bans were published. Out of this fee of seven shillings, he proposed that five shillings should go to the parish officer or clergyman, who kept the register; by this means, he was justified in saying that the whole expense of a marriage would be less than it was at present. He assuredly felt much obliged to the House for the attention and kindness with which they had listened to him on a matter on which he was much less informed than those who had made the law their immemediate study. He had not felt himself called upon to enter upon technical refinements on the subject, but had endeavoured, as shortly and simply as possible, to explain the enactment, which he trusted would have the effect of removing the conscientious objections of those who dissented from the Church, and at the same time relieving the ministers of the Church from the publication of bans between parties who object to his performing the ceremony. If he succeeded in the object he had in view, he should rejoice at removing one of those causes which had tended to alienate the minds of those who dissented from the doctrines of the Church, from its ministers, much more than anything connected with the ceremony could compensate to them. In conclusion, he did not propose the slightest change in the present law of marriage, with respect to the members of the Establishment; but with them the civil contract would still be subject to the religious sanction. He was sure that no one would object to the claim he put in for the members of the Establishment, of the continuance of that law which best suited their habits and feelings, and which superadded the religious sanction to the civil contract. The Right hon. Gentleman concluded by moving for leave to bring in a Bill for the relief of persons dissenting from the Church of England, in regard to the celebration of marriage.

Mr. *Wilks* felt bound, on the part of the Protestant Dissenters, to thank the right hon. Baronet for the tone and manner in which he had brought the subject forward, and proposed to effect a change in a matter which every member of the Church must feel to be of the deepest importance, and highly objectionable, as regarded the ministers of the Church. The early and strict attention given to the subject by the right hon. Baronet, added much to the feeling of obligation which he, on the part of the Dissenters, entertained. All the body to which he alluded would deeply feel, that, notwithstanding the immense variety of objects which must necessarily have occupied the attention of the right hon. Gentleman, that, unsolicited by them, he had come forward with a view of making arrangements in matters which had been so long complained of by them as grievances. He should not do justice to his feelings towards his Parliamentary Friends, to whom the Dissenters were under such deep obligations for their exertions to get rid of the Test and Corporation Acts, which were felt by them not merely as a conscientious, but as a great political degradation, if he did not take the opportunity of thanking them for the measures brought forward last year, and above all, for that on the subject of Dissenters' marriages which was withdrawn for the purpose of being remodelled in the interval between the last Session and the present, and also for other measures for the relief of the Dissenters, which he knew it was intended to bring forward. He had no doubt that arrangements would have been made of a satisfactory nature, both as regarded a general civil registration, and the removal of the Church-rates, and also other measures which would relieve the Dissenters from grievances under which they had long had reason to complain. With respect to the present measure it was impossible to deny that the right hon. Gentleman had taken a very calm and considerate view of the subject, as well as a candid review of the measures that had been brought forward during the last ten or twelve years for removing the conscientious objections which Dissenters felt to that which was now the legal form of marriage in this country. Measures had been brought forward for the attainment of this object by many of the warm and steadfast friends of Dissenters, and above all by the noble Lord (Lord John Russell). There were objections, however, to the Bill of the noble Lord, which it was found difficult to overcome, above all as regarded the publication of bans, and also connected with the registration. The Dissenters would have been extremely glad to have accepted the boon offered to them; but there were objections raised to it, both by those who were opposed to the concession, and by those upon whom it was to confer a benefit, and not giving satisfaction, it was withdrawn. The measure of the right hon. Gentleman obviated many of the objections that were raised against the noble Lord's Bill, but still it was liable to many objections. He was anxious to do full justice to the plan of the right hon. Gentleman, but he should be guilty of unfairness if he did not at once state, that he was sure the measure would not be perfectly satisfactory to all classes of Dissenters. He was satisfied that many would object that Dissenters' marriages were only to be regarded as a civil contract, and not also as a religious contract. What the Dissenters required was perfect social equality and equal rights, with other of his Majesty's subjects, obtainable in as nearly as possible, the same way. They had no wish to subvert the Church Establishment, nor would they accept of the revenues of the Church, if offered to them, for the maintenance of their ministers. If the right hon. Baronet had taken them back to the state of the law that existed before the passing of the Marriage Act, he would have given general satisfaction. There would have been no complaints if he had gone back to the old law of England, or to that which was now the law of France, and as well of the greater part of the civilized world. Many of the Dissenters would consider that the present measure would draw an invidious distinction between members of the Establishment and themselves. It would be imagined by many, that the Dissenters were to be married in a different way, and were not to have the religious ceremony, because they did not belong to the Church, or because they were persons of degraded intellect. This would be argued by some of the Dissenters, when they were told that marriage with them was only to be a civil contract. He wished to have an uniform system for all classes. There would, also, be some difficulties, as regarded the Dissenters going before Magistrates, to enter into this contract. He believed that one-third of the Magistrates of England were ministers of the Established Church. It would be a great hardship to compel Dissenters to go before these Magistrates for the purpose of being married, and, in point of fact, would be no relief whatever. It would not be the substance, but merely the shadow, of advantage. It would be attended with great practical inconvenience to make the Dissenters attend before the clergyman of the parish when acting as a Magistrate. He was convinced that the feelings excited in the minds of Dissenters, by adopting this course, would be of such a nature as to be almost insuperable. He was afraid, from the experience they had hitherto had of parish clergymen, that they would not be found in this respect, more than in others, adequate public Magistrates. He was convinced, that the only satisfactory registration that could be adopted, was a general civil register of births, marriages, and deaths. If they had such an institution, the official agent to enter the registration, would be neither Magistrate nor clergyman. All that would then be required, was a simple form of registration, not only for Dissenters, but for all classes of his Majesty's subjects. He was glad that the right hon. Gentleman had introduced the Bill, which he was sure manifested the favourable regard which he entertained towards the Dissenters, and which required his acknowledgments on their part. He was satisfied that the measure was liable to some objections, which he had stated; but he would gladly co-operate with the right hon. Gentleman in his desire to promote such a good understanding, as would lead to a satisfactory settlement of the question. In conclusion, he was most anxious to lessen the feelings of asperity, which he deplored, existed between Churchmen and Dissenters, and to promote a stronger feeling of mutual benevolence.

Lord *John Russell* having been the person to introduce the Bill for the relief of Dissenters, into the last Parliament, could not let the question be put without making a few observations on the subject. In the first place, he would allude to the Bill which was brought in last year, and which turned out to be unsatisfactory to those whom it was intended to relieve. A great many objections were made to it, some of which he thought were well founded, while others were, in his opinion, captious; but such were their nature that, altogether, he found it impossible to proceed with the Bill; he, therefore, withdrew it. The field, consequently, was entirely open to the right hon. Gentleman; and he felt bound to say, that the spirit in which the right hon. Gentleman had proposed his measure, was most liberal and kind, and which, he trusted, would always prevail in the future discussions on this measure, and which would be found more advantageous in legislating on this subject, than by pursuing the course which had hitherto been followed. He admitted the value of many of the suggestions of the right hon. Baronet; but he thought it would be going too far, if he then attempted to follow the right hon. Baronet into the details of the measure which he had brought forward. He wished, in the first place, that the Bill should go forth to the world, and should be fairly considered by the Protestant Dissenters; and he hoped, when they had done so, that they would fairly and openly state their opinions on the subject. If they objected to it, that they would state their objections in such a reasonable manner, as to entitle them to the serious consideration of the House, and not meet it in a spirit of opposition, but in such a way that their just wishes could be best satisfied. Therefore, throwing aside, for the present, the details of the measure of the right hon. Gentleman, he thought that he was right in taking the opportunity of declaring that the great obstacle that he found to the success of the measure he had brought forward for the relief of the Dissenters was, that they considered the measures of relief themselves as the remains of the system which they felt so strongly during the continuation of the Test and Corporation Acts, and as tending, in some degree, to degrade them. That these measures, intended to remove difficulties under which they laboured, had in them something insulting and degrading; such opinions, however natural, they were in no way justified in entertaining. He deeply regretted the feeling which existed between the members of the Establishment and Dissenters, and was most anxious to remove it. With this view, he confessed, before the introduction of the Bill of last year, his feeling was, that the first object of the Legislature, was to form a system of general civil registration; that the registry, both of members of the Church and of Dissenters, should be purely of a civil nature; that all should come equally under one head; and that all should merge in one civil, not ecclesiastical, register. This was not a scheme of the Government to which he belonged, but it was a plan which he had intended to bring into Parliament on his own responsibility. He was the more convinced of the propriety of this course, from the consideration he had given to it; and he was satisfied, that it was the most efficient plan that could be carried into effect, and that all attempts at a change in the law, as regarded the present subject, would be found defective, until it was adopted. In saying this, he begged to repeat that the Government to which he belonged, did not feel called upon to bring forward a measure on the subject; therefore he could not be supposed to blame the Ministry of the right hon. Gentleman, for not having proposed such an extensive measure. With respect to the present measure, he could not say whether it would give satisfaction or not; but, at any rate, it was brought forward in such a spirit of liberality and justice to all classes of his Majesty's subjects, that at least so far it ought to give satisfaction.

Dr. *Lushington* wished to understand whether, when two persons were married in the manner proposed by the Bill, questions as to their belonging to any sect of Dissenters, were to be put to them before, or subsequently to the performance of the contract?

The *Chancellor of the Exchequer* said, that the form of oath to be taken by the party ran thus:—" I, A. B., do swear that I am not a member of the United Church of England and Ireland, and that I have lived in the parish for so many days; that I am so many years old, a bachelor or widower (as the case might be), and that I know of no other impediment, kindred, or alliance, which is an obstacle to this engagement.

Dr. *Lushington* did not think, as the measure did not embrace a provision for one of the parties being a member of the Church of England, and the other not, that it would give entire satisfaction. No one could hail with greater pleasure than he did, the adoption of the main principle of the Bill. In 1827, he had taken the liberty of stating to Parliament, that it was utterly useless to introduce a Bill of this description, unless it was a Bill calculated to lead to entire satisfaction to Dissenters, and that the only mode of accomplishing that would be, by reducing the marriage ceremony to a civil contract. He was confident that if the right hon. Baronet had adopted his noble Friend's Bill, or, indeed, the principle of any other such measure, which had been attempted to be brought forward for some time past, he would have found himself involved in inextricable difficulties, and given satisfaction to no one. When he expressed his entire approbation of the main principle of this measure, he was at the same time bound to state, he could not adopt all the reasonings which the right hon. Baronet had taken the trouble of going into, in introducing the Bill. He could not altogether agree with him as to what was the principle of the marriage law in former periods. He should have been reluctant to mention this, unless aware that from the circumstance of the debates in that House becoming publicly and universally known in the country, it was more desirable he should state his opinion now, than that he should leave it to be uttered out of doors, where it could not receive the full response that it was calculated to meet with by being expressed in the House of Commons. In ancient times, though a marriage was good and valid, although not celebrated before a priest, yet the Council of Trent could require the marriage to be celebrated in another form. At the Reformation, England refused to accept the provision of the Council of Trent, and in consequence the matter was reduced to this state—that a marriage by civil contract was valid. It was in this extraordinary state, that by a civil contract, by a man accepting a woman for his wife *per verba in præsenti*, that became a valid marriage, but still not to all intents and purposes, not with respect to real property. A marriage of that description never became valid at all; but in order to render it valid, the parties were compelled to celebrate the marriage *in facie ecclesiæ*. That was the state of the marriage law before 1754, as it was confined to England and Wales. It was, undoubtedly, the habit of Presbyterian ministers in England to marry, and those marriages were good and bad for different purposes. Subsequently Mr. Canning, then at the head of the Board of Control, took the opinion of 12 counsel upon the subject, and after great deliberation, as was stated by Mr. Justice Bosanquet, they came to the decision, that those marriages were not good as to real property, upon which an act of Parliament passed to render them valid. At present, in some of the colonies, the ancient law, such as it existed before 1754, now remained. He made these observations only with this view, that unless he had noticed what had been stated, it might have been supposed by the public that, prior to 1754, marriages were considered in this country solely of the nature of a civil contract, and that there were no means of compelling them to be celebrated afterwards *in facie ecclesiæ*, although the fact was otherwise. It would be unbecoming in him, ignorant as he necessarily was of the details of this measure, to trouble the House at any considerable length. He would, however, state to the right hon. Baronet, that one of the great difficulties he should have to contend with would be the registration. It was absolutely necessary that the entries should be made in forms the most likely to prevent the possibility of fraud. Notice was necessary to guard against frauds. Unless from fear of interfering too much with the liberty of marriage, nothing could be more desirable than to adopt the strictest provisions for the prevention of fraudulent marriages. The House knew little of the fraudulent marriages that took place, which often plunged families and their descendants into the deepest calamities. The object, therefore, of giving the utmost publicity to marriages, with a view to prevent clandestine marriages, was of the highest consequence. Sincerely did he wish that those who were about to contract marriages with the consent of their friends and relatives would not consider the little restrictions that were imposed intolerable, when they reflected on the dreadful consequence of fraudulent marriages, which so often took place; heartily did he rejoice that the right hon. Baronet had had the courage to come forward that night in the manner he had done, with respect to this subject. When he recollected, that notwithstanding the anxiety of those who composed the late Administration to administer complete and entire relief to Dissenters, who complained so heavily as to their marriages, they knew that though a measure might pass that House, it would be certain of defeat elsewhere, he could not but consider the indication of to-night, in the bold avowal of the right hon. Baronet, to be a verification of a part of that speech which he addressed to the House upon a late occasion—that there was an assembly elsewhere which would receive and approve of a measure calculated to relieve the Dissenters.

Mr. *Philip Howard* took that early occasion to express his feelings of approbation at the measure which had now been so ably propounded, not only did he feel assured that it would give satisfaction to the large body of Protestant Dissenters—but to the Members of that Church to which he belonged, and from which all others had dissented, namely the Roman Catholic. Last session of Parliament he had concurred with the late Member for Beverley, Mr. Langdale, whose name he could now unfortunately utter without any breach of order; in the introduction of a Bill to legalise the marriages of Roman Catholics by their own Clergy. Upon that occasion he had experienced the difficulty of providing a strict and complete system of registration, so as to secure the rights and descent of property, without imposing penalties, which many of their clergy regarded with some degree of dismay. He again tendered the homage of his thanks to the right hon. Baronet which he did with the more satisfaction, as to him he was, under Providence, indebted for the removal of those civil disqualifications which had so long and so heavily pressed on the Catholics of this realm.

Mr. *Baines* wished to unite his tribute of acknowledgment to the right hon. Baronet at the head of his Majesty's government, for the friendly spirit towards the Protestant Dissenters in which this measure was conceived and for the clear and satisfactory manner in which he had conveyed his sentiments to the House. He did not think that there would be felt amongst the Protestant Dissenters any objection to the Bill, as far as related to constituting marriage a civil contract, or to the registration of their marriages through the medium of the magistrates; but there might be objections to some of the details; though those, he hoped, might without much difficulty, be removed. He was afraid that there might be a jealousy created throughout the community, by requiring that the marriages of some should be celebrated by a religious ratification, whereas with others that it should be only a civil contract. To give the greater solemnity to marriage, in all cases, he thought that some religious service ought to be engrafted upon the civil contract, and that the service should be performed by the minister of the religious body to whom the parties were attached. With regard to the registry at the parish church, he hoped that this was to be considered a temporary, and not a permanent arrangement, subject to alteration by a general registry bill; because, as a permanent measure, he did not think that it would be satisfactory to the Protestant Dissenters that their marriages should be required to pass through the register of the Established Church. He knew that a strong feeling existed on this point amongst the persons whose grievances this Bill was intended to redress, and that they considered it as an implied admission of subserviency or inferiority to the Church with which they claimed an equality of privileges. The charges mentioned by the right hon. Gentleman were also open to objection. To persons in humble life the fee of seven shillings would be considered unduly high, and would operate as a barrier against the poorer classes availing themselves of the privilege of marriage according to the proposed form. There was another topic on which he wished to make an inquiry. What was to be done when the parties contracting marriage were of different religious persuasions, one of them being of the communion of the Established Church, and the other a Protestant Dissenter? According to the certificate, or declaration, that had been read by the right hon. Baronet, the husband's faith was to regulate the wife's. Was this intended? or was it meant that if either of the parties were Members of the Establishment, that the other was to conform. He, however, did not wish to throw any impediments in the way of this Bill; he hoped no impediments would from any quarter be thrown in its way. He trusted the right hon. Baronet would give full opportunity to the country of considering its effect, and by allowing the country to express its feelings, the right hon. Baronet might be enabled to make the Bill a most unexceptionable one, and highly calculated to insure the great purposes for which the marriage ceremony was originally intended. He regarded this as a tranquillizing measure; and to him it was not of the least importance from which side of the House such a measure proceeded. Of all things on earth, matrimonial contracts ought to give rise to harmonious feelings; and it was his earnest desire that the measure might be carried to a happy consummation. He had been desirous of making his remarks in a spirit of cordiality, and most anxious was he that this measure should be carried to its happy consummation.

Mr. *Cutlar Fergusson* did not think the principle which ought to guide the Legislature, would be fully established until the marriage ceremony was made altogether a civil contract. Marriage, in his opinion, had nothing to do with a religious ceremony. That was his opinion, marriage ought to be a matter of civil contract, and of civil contract alone so far as the State interfered with it, leaving it, if it were required, to the parties marrying to celebrate it by any religious ceremony they might think proper. He could not agree with his hon. and learned Friend, the Member for the Tower Hamlets, as to what the law of England was previous to the Marriage Act. It had been well laid down by the right hon. the Chancellor of the Exchequer that marriage was then a mere civil contract; and there could be no doubt at all that a marriage formed by such civil contract was good and valid. Such a marriage did not bring up all the questions of legitimacy as to property, and so on in the succession of children. Inheritances were perfectly safe. It was a good marriage in all respects and in all parts of the world, and inheritances of fathers and mothers could not fail to descend to their children, the same as if the marriage had been solemnized in the face of the Church. He knew perfectly well what the act was that passed with regard to marriages in India. He had been consulted upon that act, and in his opinion there never was a fair doubt of the marriages celebrated in India having been perfectly valid. The provisions of the Marriage Act did not extend to Scotland or Ireland, or parts beyond the seas; therefore there was no objection to the Marriages that took place in India. He knew of several cases of inheritances descending to the children of persons in India whose parents had been married when they had not had the means of celebrating marriage in the manner prescribed by the Marriage Act, and whose rights could not be disputed. There were some parts of the right hon. Baronet's measure which would require amendment. There was that part, for instance, which made it imperative, that one party should be a Dissenter from the Church of England. He might be wrong in his construction of it, but from what he had collected it appeared to him to be necessary that the husband should not belong to the Church of England. If that were so, he could not approve of such a provision. With him it mattered not whether the party was a Dissenter or not; if he objected to the celebration of his marriage according to the Church of England ceremony, he ought to be at liberty to have it celebrated in the form of a civil contract. The measure ought to be analogous to the form of the Roman Catholic Relief Bill. With the principle of the measure, however, so far as it went, he was much pleased, and he hoped that it would lead to a measure of more complete satisfaction not alone to Catholics or Dissenters, but to the whole community. He thought that going before Magistrates and making a declaration should not be considered evidence of the marriage. He had some remarks to make on this point,but he would not then advert to it. Heartily should he rejoice when the marriage ceremony was brought back to what it was before the passing of the Marriage Act, when there was nothing required but the mutual contract of the parties before witnesses. He hoped to see the day, and it was not far distant, when no person should be able to know he was a Dissenter by any civil disability, or by any mark set upon him, by which he was set apart in this country from those who belonged to the Church of England. He was not one of those who railed against the connexion of Church and State, but he did think that no professor of the dominant religion of the country ought to enjoy a single privilege which was not equally to be possessed by all classes of society.

Mr. *Poulett Thomson* said, that he felt very deeply on this subject. It was known to many that in the place he had the honour of representing there originated, last year, that cry for the voluntary principle which went abroad and increased to a demand for the separation of the Church from the State, of which so much had been heard. He had never hesitated in public or in private to express his entire dissent from that doctrine, although he had always stated to that large body of Dissenters who formed a considerable part of his constituents, that it would be his most earnest endeavour to aid them in all measures which should relieve them from all those grievances of which they justly complained. Entertaining those feelings, he had certainly heard with great satisfaction the speech of the right hon. Baronet. He hailed with great pleasure the great principles there laid down; and although it would be necessary for him to know the details of the measure before he could express his unqualified approbation of it, yet, as the details would no doubt be completely in conformity with the principles which had been described, he could not but feel persuaded, that the grievances of the Dissenters upon this particular point would be greatly removed. He differed conscientiously from his hon. Friend behind him (Mr. Cutlar Fergusson) as to his observation of marriage requiring no religious ceremony, but that it ought to be a purely civil contract. He conceived, that if the marriage ceremony was accompanied by religious rites it was more likely to be considered binding, and be sacredly observed. In the plan proposed, therefore, by the right hon. Baronet, whilst he admitted the principle so fully, whilst he endeavoured to make it perfectly sufficient for the Dissenters, whilst he remedied the grievance of forcing parties to pass through a religious ceremony in which they did not believe, he thought the right hon. Baronet might have carried the provision further, and made the same principle equally applicable, and equally good, towards persons belonging to the Church of England, leaving it to them to have their marriage performed in the Church, but not making it absolutely compulsory by law. The right hon. Baronet's measure was likely to leave one point of grievance still to be complained of by Dissenters. It might be said, that that grievance was imaginary, and so, unquestionably, it was, but it was in human nature to object to what did not give satisfaction. The Bill did not propose to place persons of different opinions on exact equality; and it was upon this, leaving a point of distinction, which it was most desirable to do away with, there would still continue to exist a source of grievance, and which it ought to be the most anxious wish of the House to stop. With reference to the Church of England itself, it was not desirable to leave such a difference; it drew a line which was not advisable, and made a distinction which might operate to the disadvantage of the Church itself. Many, in his opinion, who dissented from the Church of England, might desire to have their marriage celebrated according to the rites of that Church, and there certainly ought to be no line of distinction drawn by which that should be prohibited. Any distinction of this sort would tend rather to defeat than facilitate the object of the right hon. Baronet. The plan of registration proposed by the right hon. Baronet there could be little objection to for the moment. He proposed removing all necessary communication between the Dissenters in their marriage ceremony, and clergymen of the Church of England, respecting the registration. In his opinion, that would serve as the first step towords a system of general registration, to be placed in the hands of civil Magistrates, exactly as it was in other countries. He should have great pleasure in considering the Bill fully, and in giving his advice to the Dissenters, with whom he was connected, to regard the spirit of the measure in the way in which, he was sure, it was intended.

Mr. *Harvey* felt assured that this Bill would be received by those for whose relief it was intended with the same unanimous feeling of satisfaction that had pervaded that House, so far as it manifested a desire on the part of Government to meet the wishes of the Dissenters, at the same time it could not be denied that objections presented themselves to the measure, at the very outset. The provisions were exceptionable at the beginning and the end. He thought many Dissenters would object to the interference of what would be considered Magisterial control. The idea of depositing in the hands of Magistrates a power to the extent proposed, though it might not be a just view of the authority with which they were to be invested, would create a prejudice which was likely generally to prevail. Still more strongly would there be an objection to that part of the Bill which proposed a registry through the medium of the clergy. But there was another objection urged by the hon. Member for Boston (Mr. Wilks)—they were making still wider, that distinction which at present exists, and which it ought to be the primary object of all Christians, of whatever creed or denomination, to extinguish, between the Members of the Established Church and Dissenters; they were proposing that the marriage of the one should be a civil contract, while the marriage of the other would remain a religious ceremony. It was impossible to conceal, that they were placing Dissenters in a most invidious situation, inasmuch as their alliances would be open to the construction which levity might suggest as not partaking of the high sanction and religious character imparted to those solemnized by the Established Church. That, however, appeared to him a difficulty of easy solution; because, although many right hon. Gentlemen on the Ministerial side of the House might not, at the present moment, be prepared to go the full length of considering marriage a civil contract, surely they were much nearer the general recognition of that great principle than in the preceding Session, and he did not doubt that the able and lucid speech of their distinguished leader, would soften the strongest scruples. Indeed, the question was, where were they to place the religious obligation—at the first or second part of the contract? If, in the first place, they declared marriage a civil contract only, why should not the obligation be enforced on all citizens alike? After being before the Magistrate, and having signed any form which might be thought fit, in order to secure the great purposes intended with reference to property and the social relations, why should they not be allowed to retire, and celebrate the event by such religious or social expressions, as their judgment or inclination might suggest? It appeared to him they were only combating shadows. If they would commence, by stating that marriage was a civil contract, to be celebrated according to certain provisions, leaving the parties to follow out their peculiar impressions by any supplemental acts, they would at once dissipate all the objections which had been raised. When the right hon. Gentleman had given to this subject a little more attention (and that he had already bestowed on it much attention was evident from the lucid explanation he had given of it) he must eventually see that it was only in the recognition of that great social principle that the object he had in view could well be effected. The present measure was merely an incipient improvement. It was admitted on all hands, that the registries could not remain as they now were, and this was one of those measures that should be subservient to a comprehensive system for the due registration of births, marriages, and deaths; and if it were in the contemplation of Government, as he hoped it was, to have an efficient registry embracing all those three subjects, it would be far better that the proposed Bill should be deferred till they were in a condition to carry out all those suggestions, rather than at some future period to alter the law as regards the registry of marriages. He threw out these passing observations in a spirit of good will towards the measure, with respect to which he fully concurred in sentiment with the right hon. Gentleman (Mr. Poulett Thomson) who last addressed the House. He thought those would be acting a most ignoble part who should interpose objections merely because the proposal proceeded from a quarter, whose politics might in some respects be unsatisfactory. Referring to the course he had taken upon former occasions he did not think he could very fairly be accused of any great affection for those who now occupied the Treasury Benches, but he did not hesitate to say that, whatever might be its fate, or the objections which might be entertained towards it by the Dissenting body, the present Bill bespoke great kindness and regard for them, and entitled the right hon. Gentleman (Sir Robert Peel), and those who were connected with him, to their most grateful consideration.

Mr. *Stuart Wortley* congratulated the right hon. the Chancellor of the Exchequer on the spirit in which the Bill had been received by that House. In spite of some slight indications of objection from the hon. Member for Southwark and one or two other Members, he still ventured to hope that by the country and the Dissenters themselves the measure would be received, if not as entirely coming up to their expectations, at the least as indicating the best spirit on the part of the Government to give them all the relief which it was possible to administer, with a due consideration to the feelings of the Members of the Established Church. With respect to Dissenters' grievances, a very strong feeling undoubtedly prevailed in that part of the country with which he was more immediately connected (the West Riding of Yorkshire), but it certainly did not amount to any desire at all to infringe or trench upon the feelings of the establishment; and it was with great pleasure, therefore, he understood from the statement of the right hon. Baronet, that as far as the Members of the Church of England were concerned, and who were attached to the ceremony of marriage, as now religiously celebrated, no change was intended. There was some difficulty in finding out measures by which the mode of solemnization and registration might be made in some degree uniform, and at the same time perfectly safe for all the varied interests of property; and, therefore, he trusted that on a subject so intimately connected with religion, and so likely to excite the strongest passions and prejudices of the people, there would be evinced on all hands a spirit of mutual concession and conciliation, in order that they might be enabled to legislate with safety and effect. Without going into the details of the measure, he might be permitted to observe, that in his mind there was no very serious obstacle in the case stated, where one of the parties was a Member of the Established Church, and the other a Dissenter. He could not but allude to the concluding observation made by the hon. and learned Member for the Tower Hamlets (Dr. Lushington) as the only allusion in the spirit of party which had been made in the course of the evening, to the probable fate of this measure, if it had been introduced by the late Government. Perhaps he would not receive credit when he said, that such an allegation was altogether destitute of foundation; but he was amply supported in his opinion by a reference to what took place in the House of Lords in 1827, when that measure to which the right hon. Baronet alluded in his speech was introduced, which was very much assimilated in principle to the present, differing mainly and almost solely with respect to the publication of bans, and which, after going through the Commons, had been all but technically read a third time in the other House of Parliament. By whom was it supported? Why, by the present Archbishop of Canterbury, then Bishop of London, and the last speech which wound up the discussion and produced the majority was that of the present Lord Chancellor. Nor was it unfair to presume if they had supported such a measure in 1827, they would not be more reluctant to support it now. At the late election, when there had been the greatest excitement and vehemence of political feeling, he took occasion to tell the people, if they would but wait till the right hon. Baronet got fairly possessed of the reins of Government, they would be astonished at the spirit of liberality and justice which would characterize his measures. He did not mean that any change had come over the right hon. Baronet, for he had referred to the history of his past life for the purpose of assuring them of the truth of that assertion, his measures having been at all times regulated by nobleness of spirit and great liberality. To him it was a matter of high gratification to find that the right hon. Baronet had pursued such a course, at least in reference to this measure; and he could not help thinking that in the part of the country with which he was connected, and where political parties were arrayed almost entirely according to religious opinions, the greatest blessings would be produced, if by such a spirit of conciliation and mutual concession they could be brought to understand their own interests, and consult their happiness among themselves, by uniting with regard to such measures for the good of their country.

Mr. *Lennard* highly approved of the temper and spirit in which this measure had been introduced, and he hoped that the other grievances of which the Dissenters complained would receive the same friendly and just consideration from his Majesty's Government. He viewed the measure, if not with surprise, certainly with the greatest satisfaction. It would be most beneficial in itself, but he hoped it was only the precursor of a more extended and useful system. It could not, however, be entirely free from objection while it created a distinction between Dissenters and Churchmen; and till a general registry was established, it would be necessarily incomplete. He should, at the same time, be most happy to co-operate with the right hon. Baronet in rendering the measure as perfect as possible.

Mr. *Ewart* observed, that while the hon. Member for Halifax (Mr. S. Wortley) deprecated the tone assumed by the hon. and learned Member for the Tower Hamlets (Dr. Lushington) he seemed pretty much to have followed the course he deprecated, though on the other side of the question. With respect to the measure itself, it would have been more permanently satisfactory, had the right hon. Baronet declared that for Churchmen and Dissenters marriage should hereafter be a civil contract; they might add, if they pleased, a religious ceremony, but the House should content itself with restoring the old law of England, as it existed during the time of the Commonwealth, and till the Marriage Bill was introduced. That any distinction should still prevail between Churchmen and Dissenters he very much regretted, however formal, shadowy, and unsubstantial, it might appear to be; but he was fully convinced, that the time was near at hand when that distinction, of how evanescent soever a character it might appear, would no longer exist. Another great objection arose from the necessity there would be of going before the Magistrates frequently, as they were connected with the Church of England. Two great Amendments must shortly take place with respect to the system of the Magistrates—in the first place, that they should be stipendiary; and next, that they should not be clerical. He hoped the day was fast approaching when in this country, as in all other civilized communities, there would be one civil officer for registrations, and when carrying into effect the recommendations of the Committee of which the hon. Member for Boston (Mr. Wilks) was chairman, the rights of all persons and property would be at once secured by establishing a general system of registration for births, marriages, and deaths. He was bound to say, when those objections had been removed, the right hon. Baronet would have entitled himself to great honour from the country.

Lord *Sandon* said, that while the people of this country were not by any means prepared to see the plans of certain theoretic philosophers carried out in that House to their full extent, he thought this Bill would give great satisfaction to Dissenters, while it left the general feelings of the great mass of the people attached to the Established Church not in any degree wounded or impaired by detaching the ceremony of marriage as a civil contract in their case from the sanctions of religion. He thought it was the duty of the House to legislate in such cases with the view of meeting acknowledged grievances on the part of Dissenters, without interference with the feelings of the bulk of the community connected with the National Establishment, while providing for the security of property involved in the proper authentication of the marriage contract.

Mr. *Roebuck* complained of the slur which the noble Lord (Sandon) had attempted to throw on the theories of some hon. Members whom he chose to designate the philosophers in that house, and maintained, on the part of the Dissenters, an equal right to all civil privileges with every other class of his Majesty's subjects. With respect to marriage, the right hon. Baronet had incontestably argued, that there was no reason why the state should regard it as other than a civil contract; and if that were so, why did it not apply as well to the Churchman as to the Dissenter? If, in the latter case, it was left to the right feelings of the individual to superadd any religious sanction he thought proper, why should not the same course be adopted with respect to the Churchman? Why, then, was all this outcry got up?—Why this bugbear stalking in the person of the noble Lord about trenching on the religious feelings and principles of the people? With respect to marriages being registered by the clergyman, he did not think it should form any objection on the part of the Dissenters. Nothing could be more frivolous and puerile than such an objection. But of course he would much prefer that, certificates of marriage having been procured from the magistrate, they should be transmitted to some central part of the country, or to the metropolis, at once to be registered, without reference to any sect or persuasion whatever, bearing steadfastly in view the great principle propounded by the right hon. Baronet. He was glad to find that the opinions of those philosophers which were so disagreeable to the noble Lord (Sandon) had made their way to the Treasury benches, and that the Government was now to be conducted, not by prejudice; but by reason.

Lord *Sandon* rose to explain. He did not very well know the ground of those pretensions which the hon. Member for Bath seemed to entertain, of giving lectures in that House on arrogance and acrimony. He was quite willing to leave the matter to the decision of the House; all that he had stated was, that the feelings of the people ought to be consulted, and not the vague theories of philosophers on what had certainly not been represented as a practical grievance by any petition to that House.

Mr. *Praed* said, that if ever he had heard a speech perfectly kind in its tendency, it was the speech of the hon. and learned Member for Halifax. It did not, therefore, require the remark which had been applied to it by the hon. and learned Member for Liverpool. Compliments had been passed, to which he had listened with the greatest delight, from the other side of the House, as to the spirit with which the measure now under consideration had been introduced; and he could fairly imitate an example set him, and with perfect justice return those compliments. With respect to the objections which had been urged against the Bill of his right hon. Friend, he should take leave to answer a few of them. The first was that urged by the hon. Member for Leeds, respecting the payment of the fee to the clergyman. He should be borne out, he believed, by the House when he replied, that this was not a ground of religious objection, and, therefore, on that topic it was no objection at all. The next objection was, that urged by the hon. Member for Kircudbright, that the ceremony of marriage was to be celebrated in the presence of a third party. Now the hon. Member was a lawyer, as well as a legislator, and he should have known that marriages to be effective as regarded inheritance and other matters relating to the transmission of titles and property required to be proved. If the consent of the parties only were deemed sufficient to constitute a marriage, the proof would be most difficult, and in some cases impossible. For that reason, he thought, and for no other, the ceremony should be a distinct one. He (Mr. Praed) should only notice one more objection, or rather two in one, at that hour of the night, he meant those of the hon. Member for Leeds, and the hon. Member for Kircudbright. The former objected that marriage was made to partake in any thing of the nature of a civil ceremony, while the latter urged that it should have nothing at all religious in its solemnization. Now he agreed with both, and the Bill of his right hon. Friend met each of these objections. He thought marriage should be a civil ceremony, and not made religious by act of Parliament, which was just what the Bill proposed to make it for the Dissenters; and he also thought it should be a religious ceremony for those who conscientiously believed that it ought to be so, which the Bill effected for the Members of the Established Church. He concluded by expressing his full concurrence and entire approbation of the measure, and his pleasure at the spirit in which it had been received by the House.

Mr. *Sheil* said, that the Gentlemen on his side of the House were loud and persevering in their praises of the measure of the right hon. Baronet, while those on the opposite side had not said a single word in its favour or against it. Among them he had looked in vain for any expression of approbation or disapprobation on the part of the Members for the Universities—those conservatories of everything salutary—but not a single symptom of either could he discover in their physiognomies. However, all pleasantry apart, he thought there was good in the Bill, mixed up with much that was permanently and in its nature objectionable. The clergyman for doing nothing except registering the marriage of two parties, was to have *5s.*, while the Magistrate, upon whose shoulders devolved all the trouble—first, of receiving the notice; secondly, of inquiring into the accuracy of the declaration of the parties; and, thirdly, of signing and serving the certificate of celebration, was to have only *2s.* Now he should beg to suggest to the right hon. Baronet that this inverse disproportion between the payment and the labour of the two parties—the clergyman and the Magistrate—was calculated to create a belief in the minds of Dissenters that the Church of England was made paramount still, and that a premium was still continued to her clergy. He thought there was no remedy for this evil, but in the appointment of public functionaries whose sole and exclusive duty it would be, not alone to sign, but to register all contracts of marriage. There was another objection on the face of the measure, and he conceived it a strong one. A Dissenter marrying a woman of the Church of England faith, was required to go to the Church and make a declaration. Now, as many Dissenters could not conscientiously do so, was not the inference obvious, that in most instances they would persuade the female to abandon her own religion and conform to his? This should be looked to by the supporters of the integrity of the Establishment. With respect to the measure itself, he (Mr. Sheil) fully concurred with the hon. Member for Halifax when he designated it one calculated to excite surprise. He hoped that all the measures of the right hon. Baronet would be of the same nature, and that he would go on exciting surprise of that description day after day. But he especially hoped that he would, by the measure of reform he intended to introduce regarding the Established Church in Ireland, create a degree of surprise equal, if not greater.

The *Attorney-General* said, that the reason no one on his side of the House spoke on the Bill, was their perfect concurrence with its principle, while the necessity for their doing so was likewise obviated by the unequivocal testimony borne to its merits by the side of the House on which the hon. and learned Member for Tipperary sat. Both sides appeared to be of agreement on its principle, and there was no objection taken to any portion of it except its details, which were properly the province of the Committee. The hon. Member for Tipperary had alluded to the Universities, as if they were opposed to all Reform. Now he (the Attorney-General) was connected with the Universities by holding high office, and therefore felt as strongly with them as it was possible to feel; yet what did he say on an occasion of a petition being presented in the last Session of Parliament for the relief of Dissenters' disabilities? He said, "I, for one, think, though a zealous and most sincere friend of the Protestant Church, that no Dissenter or any other of his Majesty's subjects ought to experience any disadvantage in all civil and secular matters; and that no Church of England man should possess in these matters any advantage over others of his fellow-subjects. I am desirous of seeing, in these respects, all classes of his Majesty's subjects on a footing of perfect equality. In saying this he felt he was but echoing the sentiments of those learned bodies. Such being his registered opinions, he should take leave to call the attention of the House to the declaration of the hon. Member for Kirkcudbright, who said that marriage ought to be a civil ceremony to all intents and purposes. He did not object to this, but on the part of those members of the Church of England who entertained a conscientious feeling on the subject of this rite, he claimed that they should not be compelled to make it a civil contract, if the Dissenters were allowed to make it not a religious one. In other words, he claimed that if the latter were allowed to abandon the religious ceremony, the former should be allowed to abandon the civil. If the two forms of belief were to change places—the Dissenters to have the power, and the Church of England to be the suppliant—the latter would have precisely an equal claim, and could urge equal reasons for calling for the abandonment of the civil, as the former had for urging that of the religious ceremony. With respect to the measure itself, he thought no degree of praise too great could be accorded the right hon. Baronet who brought it forward—and he was happy to perceive, that all parties concurred with him to that effect.

Mr. *Estcourt* said, he had thought it might not have been necessary for him to make any observations upon this question, as his right hon. Friend had stated, that his object was to bring forward a measure for the remedy of an inconvenience or a grievance, as it was termed, which seemed to call for the interference of the Legislature; but after some comments, which had come from the other side, he could not content himself with giving a silent vote. Concurring, as he did, in all that had been said by the hon. and learned Gentleman who had just sat down, he was not disposed to quarrel with those who regarded marriage as merely a civil contract; he only desired that persons, who, like himself, belonged to the Church of England, might be allowed to regard it as a religious rite. He was fully impressed with the belief that this Bill was more calculated to conciliate the views and feelings of persons of all persuasions in this country than any measure he had ever known in the whole course of his Parliamentary life. It must be most gratifying to his right hon. Friend to hear that men who differed upon nearly all other political points were unanimous in approving of this. He could now only say, that he was ready to give his best attention to the details of the Bill.

Sir *John Campbell* concurred in all that had fallen from both sides of the House in praise of the Bill of the right hon. Baronet. He believed the measure to be one brought forward in the true spirit of liberality, and he also believed that it would give great satisfaction to the Dissenting portion of the community. Having stated what he conceived would be the general impression of the country, he was bound to state his own private impression. For the first time a distinction was made by it between the followers of the Church of England and the Dissenters in regard to the manner in which marriage should be celebrated. Such a distinction was quite unprecedented in the annals of the country. Previous to Lord Hardwick's Act, marriage could be celebrated by mutual recognition—*per verba de præsenti*—and this form entitled children the issue of such a union to all the privileges of the filial condition—inheritance, &c. Lord Hardwick's Act made it a religious ceremony it was true; but then it equalized it among all sects in the religious and social community. By the Bill before the House, the community was to be divided into two halves; with one sort of marriage for one and another for the other. He was not insensible to the faults of the Bill brought in last Parliament by his noble Friend, the Member for Devonshire, but it had not that amongst them. It made all marriages between whatever sects celebrated a religious ceremony—not that the noble Lord was of opinion a religious ceremony was the best, nor that a civil contract was not the fittest form of marriage—but the noble Lord conceived, that the public mind was not fully prepared for so important a change as the conversion of a religious into a civil ceremony. By the present Bill, however, the faults of the noble Lord's measure were preserved, one of which was the conservation of the religious ceremony, while faults of a nature peculiar to itself were added. For instance, all persons belonging to the Church of England were compelled to have the intermediation of a clergyman, while Dissenters could go before a Magistrate and solemnize their marriage without any such intervention. Moreover, he believed the measure would not have all the effect which it was expected it would produce. Many of the Dissenters deemed marriage as much a religious ceremony as the members of the Church of England—some of them more. Now the scruples of these would be shocked to perceive the members of the Church of England going into the Church to get married, while they could only go to the private house of the Magistrate for the same purpose. He thought that marriage should be a purely civil contract, with permission to celebrate it in a religious manner subsequently to the act of a Magistrate. Such a mode of performing it could shock the consciences of no parties. Church of England or Dissenting. It was the mode practised at this day in France, and in other Catholic countries, where marriage was regarded as a sacrament. In this respect he thought it would have been far wiser of the right hon. Baronet to have adopted the principles of the Bill of the last Session, interweaving his own details on that groundwork. The Law of Marriage should be equal for all; it might be either a civil or religious contract, but it ought to be universal in its operation. The details of the measure were properly the province of the Committee; but he begged to point the attention of the right hon. Baronet to one or two objections *in limine.* If the Magistrates, as the Bill proposed, were compelled to perform three different functions—first, to receive the notice; second, to perform the ceremony; and third, to register the contract—they would be performed incompletely and unsatisfactorily. He had the highest respect for the Magistracy, but he could not conceal from himself that there were some individuals in it who were quite unfitted for the station, from incompetence, ignorance, and other reasons. Now, if there could be found priests who would celebrate clandestine marriages, it was not going too far to say, that there might be found Magistrates who would do the same; besides which a great proportion of clandestine alliances might be fairly calculated on from the causes already assigned by him in relation to some individuals in the Magistracy. It was his opinion that the ceremony would be open to the greatest abuses until there should be appointed public functionaries for the purpose of attending to it solely. Another clause in the measure which he conceived open to much objection was, that requiring an oath to be made by parties not of the Church of England, about to enter into the nuptial contract. What was the necessity of such an oath? Was there a peculiar provision made in the Bill for the punishment of perjury, or was it to be left to indictment, as at Common-law? It seemed to him that the introduction of this affidavit was an unnecessary multiplication of oaths. The Bill, however, as he had already said, was conceived in the best possible spirit. He hoped it would please the Dissenters, and he knew it would give great satisfaction to the country. It should have all the assistance in his power.

Mr. *Warburton* said, that the proposed measure was a Bill for the relief of Dissenters, and it completely fulfilled its object. If any parties had a right to complain, it was the members of the Church of England. As to what had been said on the subject of oaths, he could not help observing that oaths taken before Magistrates were quite as likely to be held binding as before a clergyman.

Mr. *Kennedy* believed that the present measure would be more unpalatable to the Dissenters than that of the noble Lord (Lord John Russell) last year. The objections which the Dissenters entertained to that Bill affected only its details—such as the necessity of a publication of the bans and a connexion with the Establishment by the mode of registration proposed; the present measure was objectionable in detail—it went to draw a line of demarcation between the Dissenters and the members of the Church—to establish two kinds of marriages, one of a civil, and one of a religious character—and to degrade the Dissenting clergy by placing them in a position of inferiority, of which they would justly complain.

The *Chancellor of the Exchequer* said, that his only object in rising was to notice briefly the few observations which had been made in reference to the intended Bill, lest they might have the effect of prejudicing it, either with hon. Members or with the great body of the Dissenters. He never felt more satisfied of anything than that he could succeed in convincing any reasonable body of Dissenters that the tendency of the Bill would not be to establish any invidious distinctions—that there was nothing in the Bill which could prove in the least objectionable to Dissenters, excepting that which must, under all circumstances be inseparable from dissent. From the fair and liberal spirit in which the whole proposition had been met, he felt he had little more to do than express his confident hope, that practical grievance was about to be met by a practical and effectual remedy. There were objections, he was aware, to almost any view of the subject, and he had attempted to meet them in such a manner as should not shock the feelings of either party. His impression was, that if members of the establishment were satisfied with the present state of the law, that they should not be interfered with. Some hon. Gentlemen in that House might say, "put the law on another footing—put it on a civil footing." But for his own part he could say that he never had heard from anybody belonging to the Church of England, or from any of the leaders of the great bodies of Dissenters, a desire to dispense with the religious solemnity. If he were to be required to declare that this solemnity should or might be dispensed with for the members of the Established Church, he certainly did think it would savour of that intolerance which was condemned by the Dissenter, for it would seem that that Dissenter not only looked for relief for himself, but expected that the Government should make an alteration in the ceremonies of others, and accommodate them to the relief granted to him. He could assure the hon. Gentleman opposite, that, so far from having a wish to put the Dissenters on a different footing, his anxiety was, if possible, to have made the ceremony a religious one. But he found that there were great difficulties in the way of this arrangement. If all classes of Dissenters entertained the same feelings and opinions on the subject, the settlement would have been extremely easy; but was this the case? And, therefore, was he obliged to adopt a different rule of proceeding. No degradation was ever contemplated by him in the arrangement. Those of the establishment conformed to certain principles and rules—to a prescribed form of religious worship; it was consequently, easy to deal with them. If there were only one class and form of dissent, it would be equally easy to deal with the body of Dissenters, and far more agreeable to him to propose a religious rather than a civil ceremony. But hon. Gentlemen should consider that he was not placed under these favourable circumstances. He had to legislate for a great number of different sects, possessing different principles, and he had found it impossible to prescribe any particular form of religious ceremony which could possibly be acceptable to all these various classes of religionists. Some sects of Dissenters were not in the practice of using in their marriages any religious ceremonies at all—the Quakers, for example. And he believed there were other classes of Dissenters, who were equally indifferent to a religious ceremony. Now, if this were the case, would it not, according to the feelings of hon. Gentlemen opposite, have been the strongest proof of intolerance, on his part, if he had attempted to prescribe and enforce one religious ceremony for all these different classes? How was it possible, he asked, that he could embody in one Act, an arrangement to which all could agree? While, therefore, he claimed for the members of the Church of England the right of persisting in their ceremony, he would not, although he might succeed in pleasing one or two classes of Dissenters, attempt to prescribe a religious discipline respecting the matrimonial contracts of the multitudinous sections of those differing from the Established Church, in so great a variety of degrees. He denied that any slight was intended, or could reasonably be presumed to be imputed, to the several denominations of Dissenting Ministers, because he did not declare them to be, one and all, fit and proper persons to solemnize, and give a legal sanction to, the matrimonial rite. He felt no difficulty in allowing anybody, who had such a vocation to preach and to teach; but he doubted whether he could be held justifiable, even by the Dissenters themselves, in permitting a civil act of great importance—a contract of the most solemn nature—to be perfected by everybody and anybody, who might happen to have a congregation who were disposed to listen to him, and to acknowledge his ministry. Although he had no desire to interfere with the spiritual form which might be adopted, he had a right to ascertain that the civil contract had been duly made. He believed, that the learned and intelligent class of Dissenting Ministers would feel themselves degraded, by being placed on the same footing with every illiterate parson, who might fancy himself inspired upon a particular occasion, and consequently competent to perform a religious ceremony, to teach and to preach, and to go through all the other functions of the Christian Ministry. Hon. Gentlemen who wished to have this conclusive right of performing the marriage ceremony conveyed to the Dissenting Ministers, should show that it was safe to confide it to every man, who might claim and exercise the right of a preacher: if they did not do this, they would fall short in their argument, for how could the distinction be drawn between the teacher of one sect, however large, and of another, however small, of Dissenters? Therefore, it was that he fell back upon the method which was likely to be most satisfactory to the general body of Dissenters, namely, that of encouraging the religious ceremony, and securing the accomplishment and the acknowledgment of the civil contract. He trusted that the Dissenters would be convinced, that there was not the slightest intention, on his part, to inflict any hardship or degradation, upon them. Indeed it would appear, the hon. Gentlemen had exercised some ingenuity in their opposition to the measure. It had been formerly contended that Dissenting parties would not be satisfied, so long as they were compelled to go before the clergyman of the Established Church; well, this was to be no longer necessary! But, surely, the fathers of families would require some security for the binding nature of the contract in which young females were to be engaged. Therefore, he said, to avoid any collusion between the person who might fancy himself inspired to act as a minister, and either of the parties—to avoid the many obvious calamities which might ensue, he said to the Dissenters—go before the magistrate, the only civil functionary he had at their service. Men might object to the constitution of the magistracy, and so forth, but was he to wait until the magistracy was reformed? Was he, until then, to delay the relief to the Dissenters which they so anxiously desired? He left, too, from a regard to the delicacy of the females, the privilege of going before any magistrate they might choose, lay or clerical. This he had done, instead of rendering it imperative upon them to appear at quarter sessions, or even appearing before more than a single magistrate. He might have erred, but it certainly was from no unkindly feeling towards the Dissenters. Next, as to what had been urged respecting the system of registration, he might have conceived, that there might be some objection on the part of the clergymen. He could not conceive any upon that of the Dissenter. It was the most satisfactory mode of registration which now existed —he did not say that it might not be amended—he did not say that he should be averse to its amendment, but he was obliged to take it as it stood. Besides, it was that which was in use for the members of the Established Church. He did not ask the Dissenter to go before the clergyman, but only before the magistrate, who would transmit to the magistrate the certificate. Then, as to the amount of fees, he had to state, that in Mr. Smith's, and in Lord John Russell's Bill, and in every other Bill, for the relief of the Dissenters, the rights of the clergyman had been respected. His object had been to bring in the Bill in the most liberal spirit. He had desired less to make anything like a speech in reply, than to set aside statements, which might have the effect of exciting prejudices which were perfectly unfounded.

Leave was given to bring in the Bill.

OMNIBUSES AND CABS.] Mr. Alderman *Wood* moved for leave to bring in a Bill for the better regulation of cabriolets and other hackney carriages, or of omnibuses and other stage carriages for short distances, used in and near the metropolis, and of the drivers and attendants thereof.

Colonel *Sibthorpe* supported the Motion. The misconduct and ill-manners of omnibus cads and cab drivers was grown to an extraordinary height as he knew from personal experience, and if it were not checked would be quite unbearable.

Mr. *Roebuck* defended the drivers, and declared that he had seen no want of civility or attention on their part, and that, in his opinion, they were a very useful class of men. He protested against legislating to the annoyance and injury of the poor, when the nuisances created by the throngs of carriages of the rich were passed by unnoticed.

Mr. Alderman *Thompson* observed, that a great depression of trade had taken place all along the line from Charing-cross to the Bank in consequence of these vehicles and the conduct of their drivers. He did not wish to see them suppressed, but only to have the drivers placed under some effectual control.

Dr. *Bowring* hoped that the valuable time of the House would not be occupied with such frivolous legislation as the present—that it would not turn its attention from more important affairs to matters which the city Magistrates could take care of. If such matters as the present were made subjects of legislation, he agreed with the hon. Member for Bath, that the poor would have just cause to complain of an interference with their comforts, while those of the rich were left undisturbed.

Sir *Thomas Fremantle* thought the subject was one which called for the interference of Parliament. Deputations of traders and others had waited on the Secretary of the Home Department, complaining of annoyance and the interruption of their business by the stopping of those cabs and omnibusses before their doors. He would support the Motion, and he hoped the Bill would attain its object.

Sir *John Wrottesley* thought that there was as much danger to the public from the driving of the cabriolets and carriages of the rich as from that of cabs and omnibusses.

Mr. *Warburton* said, that the obstructions caused by the carriages of ladies and gentlemen before the doors of the leading shopkeepers were as great nuisances as any caused by the vehicles which plied for hire. He hoped the House would look with jealousy on such measures as the present.

Mr. *Clay* said, it was not in the power of the police to regulate these matters. He would admit that there was in that House too great a disposition to legislate in matters which interfered with the comforts of the poor, but he did not think the present was one of that description.

Mr. *William Gladstone* thought, that it would be well to adopt similar regulations to those of the police of Paris with respect to those conveyances. Instead of deserving the name of petty legislation, he thought the present was called for, and he hoped the hon. Alderman would persevere, and not be deterred from urging the measure by any remarks that had been made.

Mr. Alderman *Wood*, in reply, said, that those who knew him would admit that he was one who had always sympathized with the poor, and would not interfere with their comforts or conveniences. It was said, that the City of London should interfere. The object of his Bill was, to give to the Magistrates of London, and of the metropolis, the power of so doing effectually. The City laid out 4,000*l*. a-year in efforts to keep the streets clear and prevent nuisances. All he wished was the power to regulate these matters, and not to interfere with the comforts or conveniences of the poor.

Leave was given to bring in the Bill.

IMPRESSMENT — REGISTRATION OF SEAMEN.] Sir *James Graham* rose, pursuant to the notice he had given, to move for leave to bring in a "Bill to amend and consolidate the laws relating to the merchant seamen of the united kingdom, and for forming and maintaining a register of all the men engaged in that service." Also, for a "Bill for the encouragement of the voluntary enlistment of seamen; and to make regulations for more effectually manning his Majesty's navy." The right hon. Baronet said, that he should be inexcusable if, after the length of time during which the House had been occupied in the discussion of an important measure that evening, he should trouble them at any great length. He apprehended that no opposition would be made to the Motions of which he had given notice; and he would, therefore, detain the House as shortly as possible. He would make only one observation before he proceeded to the details of his measures, which was, that when he considered the difficulties of the subject with which he had to deal, he thought some excuse was necessary for his undertaking it, especially when he brought it forward without the adventitious aid of official authority, and even without knowing whether it would be supported or not; but, nevertheless, having stated to the hon. Member for Sheffield, on the

Motion which that hon. Member brought forward on the subject of impressment, that he had a Bill in preparation which would tend to diminish the necessity of resorting to that means of manning his Majesty's navy, he felt it his duty, even as a private individual, to bring the subject before the House. The first Bill for which he should move was, to amend and consolidate the laws relating to merchant seamen. In substance and detail this Bill was similar to that which he had introduced last Session. That Bill went through its first and second stages, and to the Committee, but went no further. This first Bill was connected with the manning of his Majesty's navy; for as the merchant service of the country was the nursery from which the King's navy was to be supplied, it was necessary to protect merchant seamen; otherwise the numbers to which the State would look in time of necessity would be greatly reduced. This Bill, therefore, was essentially necessary for the protection of British sailors in the commercial navy. It would regulate the agreements made by sailors with their employers. When he had the honour of directing the administration of the Admiralty during the last year, he had reason to believe, that the merchant seamen often suffered very severely from the absence of any written agreements with their owners or masters; and he had, therefore, introduced a clause into this Bill, rendering it compulsory on masters and owners, that all seamen employed in the foreign or the coasting trade should serve only under a written engagement. Such was formerly the practice in the merchant service, and there were laws for the regulation of this matter, which time had rendered inoperative or obsolete. Having thus protected the seamen in their rights under these written agreements, the next thing he had done was to protect the master of the vessel from the breach of contract by the seamen; and he had, at the same time, endeavoured to prevent the reception of deserters on board ship, as well as to prevent the practice of suborning or enticing seamen to desert or neglect their duty by the crimps. He had next re-enacted certain laws relative to the employment of apprentices on board of merchant vessels, by enforcing, under penalties, the employment of a certain number in each ship, in proportion to the tonnage of his vessel, and by providing that, on her return from a foreign port, each vessel should be visited by an officer of the Customs, and the apprentices mustered, when, if the number was not complete, or the absence of any not accounted for, the owner should be liable to a heavy penalty. He had also provided, that no seaman should be left, as was now frequently the case, in a foreign country without a full payment of his wages, and without full proof also being adduced of the necessity which existed for leaving him behind. This matter had long called for some act of legislation, on account of the number of complaints which the British Consuls in all parts of the world were constantly sending home, of the number of British seamen who were so left, and who suffered great hardships, a practice which arose from the masters of ships breaking their engagements with their seamen, without paying them the wages due to them, and leaving them ashore, whilst they engaged other hands at a lower rate for the homeward voyage. The last part of his Bill was framed for the purpose of obtaining, what he hoped would prove to be, an efficient register of merchant seamen. He had experienced much opposition from the ship-owners to the measure which he introduced last Session for this purpose, without being able to entertain any strong hope of succeeding in his object of obtaining an efficient register, the provisions of his former Bill were onerous, the success uncertain, and the hope of founding on the register a complete system of ballot, at best precarious: he had, in consequence, adopted a suggestion which was offered on the part of the ship-owners, and availed himself of the provisions of a Bill which passed last Session on the subject of the Merchant Seamen's Institution.

By that Act, the owner or master of each vessel was bound to enter on his ship's muster-roll every man there employed, specifying his classification and the amount of his pay. Now, instead of the regulation which his bill of last year contained on this matter, he should substitute one which compelled each master of a merchant vessel to furnish a half-yearly return of the muster-roll, which the above Act ordained should be kept, and that, on the arrival of his vessel from a foreign port, these returns should be delivered to the visiting Customs' officer. This practice would, therefore, not be so onerous to the masters or owners of ships, as that proposed last year would have been; and if it were properly observed, and the returns made punctually, the result would furnish an exact registry of the merchant seamen. These details formed the whole of the provisions in the first of his measures. During the last Session he had entertained sanguine hopes, that an exact register of merchant seamen might have formed the basis of a measure by which the means for enforcing the compulsory service of merchant seamen in the navy might have been secured by ballot on a principle analogous to that in use, for providing militiamen to serve in the land forces, and that some such plan might be substituted for the practice of impressment. He had thought, upon a cursory view of the subject, that an analogy existed which might justify some such measure; but, upon a closer examination, and after more mature deliberation, he was convinced that it could not be brought to bear, for the seamen would either be able to evade the operation of such an Act, or else, if it were enforced to the full extent to which the circumstances must render it necessary to carry it, the practice of impressment would become much more onerous and oppressive, under another name, than it now was. In the first place, the supply of men for the land-forces was inexhaustible, whilst the demand was comparatively limited; whilst in the merchant service, the supply was scanty, compared with the wants of the King's service in war. The ballot for the supply of the land-forces was made upon the very spot where the men themselves resided, and they were no sooner nominated than they could be called into service. The merchant seamen were so circumstanced that, on a rough computation, no less than two-thirds of the whole body were constantly on the water, and, therefore, it was impossible that their services under the ballot could ever be available when chosen by that method, at the moment when their services were suddenly required. Those seamen who were at home would, therefore, be compelled to serve as proxies or substitutes for the great majority of their brethren who were abroad, and he had, therefore, rejected this plan of ballot altogether, because it had all the disadvantages of impressment in a severer form; and it would cause those disadvantages to fall with undue hardship upon a very small portion of those who were liable to its operation. What, then, was the measure which he had to propose? It was this:—he proposed, in the first place, frankly and openly to avow the right of the Crown to the services of merchant seamen in the event of war; for, inasmuch as all the landsmen, not excepted by professional, or other acknowledged reasons for exemption, were liable to be balloted for to serve in the land-forces, so all merchant seamen, being exempt from the land-service by virtue of their occupation, came properly within the limits of the King's right to their services for the naval armament. He proposed, however, to limit the exercise of this right much within the bounds to which it had been suffered to extend; in the first place, the duration of this compulsory service he proposed to limit to the period of five years, which term of compulsory service on board a King's ship, should for ever free a seaman from the liability to be impressed. But whilst enacting this measure, and whilst thus asserting the prerogative of the Crown, he must say, that he thought it was the duty of the House, with due regard to the feelings of the seamen, and to the declared opinion of the country, to exhaust every other source of supply for the navy before recourse was had to compulsion; and he, therefore, had introduced a provision which rendered it necessary, before the King's proclamation for impressment was issued, that a period of grace should be allowed to the seamen, during which time all volunteers for the five years should receive double bounty. During the last war the bounty was *5l.*, and he, therefore, proposed that it should be 10*l.* in these cases; and not only should the volunteers receive this encouragement, but they should be entitled to count every year served in war as two years of compulsory service with respect to their claims for pensions, so that for five years of voluntary service during war, they should count ten years of service towards becoming entitled to their pensions which now could only be obtained after a full service of twenty years, whether in peace or in war; and farther, that if, at the expiration of the five years of compulsory service, they again volunteered to serve for five years more, they should be entitled to receive a second bounty. He also proposed to have a clause by which a seaman who should have become entitled to his pension should, if he chose to continue in the service, receive both his wages and his pension. The present arrangement prevented the seaman from drawing his wages if he drew his pension; and the consequence was, that the service lost a great number of its best men, who, on becoming entitled to their pensions, retired; whilst he believed that his Bill would secure the services of all those men who were fit for duty.

Such were the leading provisions of his second Bill, which he had every reason to believe would render the naval service more popular and offer a great inducement to the free tender of voluntary service; whilst, at the same time, he must observe, that holding out every temptation to volunteer into the sea service, and thus obviating all the chief evils of impressment, he still carefully reserved that power, in case it should become a matter of State necessity, to resort to it. It was, for the House to decide upon the important matters involved in these Bills; he should, for the present, detain them no longer, but content himself by expressing his entire readiness to afford any explanation on future occasions which might be demanded of him with respect to these measures, the vital importance of which it was impossible to over estimate; since they were intimately connected with our maritime power, and involved questions on which rested the naval superiority of Great Britain; the anchor of her greatness and sovereign power. The right hon. Baronet then moved for leave to bring in a Bill "To amend and consolidate the laws relating to the Merchant Seamen of the United Kingdom; and for forming and maintaining a register of all the men engaged in that service." Also a Bill "For the encouragement of the voluntary Enlistment of Seamen, and to make regulations for more effectually manning his Majesty's navy."

Mr. *George Young* said, that he should have so many opportunities, in future stages of these Bills, of discussing, at length, their details, that it was not his intention, at present, to trouble the House further than to express the heartfelt gratification, with which he had heard the announcement of these measures by the right hon. Baronet opposite. He must also bear his sincere testimony to the fact, that the right hon. Baronet had taken the right path towards attaining that which with him had always, he believed, been a near and dear object, namely, the abolition of impressment. During the last Session of Parliament, he had stated, when the measure for the introduction of a system of registration was brought forward, that if it were unaccompanied with other substantial measures, it would neither be satisfactory to those affected by it, nor would it conduce to the object which it had in view. The right hon. Baronet had, however, now accompanied his measure of registration with another measure, in an intelligible form; and, together, they would go far to accomplish the desires which must animate the breast of every well-wisher to his country. It had recently been his lot to be placed in contact with a large body of seamen, and to have discussed with them, with frankness and without reserve, the whole subject of Impressment; and, it was impossible for language to describe, in adequate terms, the manliness of style, so peculiar to the British Seamen, with which they declared their readiness to serve His Majesty, even under the compulsion of Impressment, in cases of emergency, provided the period of their service should be limited in duration, and that such limitation was accompanied with other regulations in matters which, for some years past, had been in process of amendment, at the board presiding over their departments. He should have the greatest pleasure in giving his best attention to the details of these Bills, and in furthering the objects which the right hon. Baronet had in view, by their introduction.

Mr. *Buckingham* said, that as the House had done him the honour and kindness to give him a considerable portion of its attention on this subject, at a former period, he should not now occupy its time for many minutes; but he felt that he should not do his duty to the House, if he did not express his satisfaction at the general view of this question which had been so clearly and so ably laid before the House by the right hon. Baronet. There was no doubt that we must look to the mercantile marine, as the great nursery of the British navy, and that the means by which His Majesty's fleets must be manned, in case of emergency, must consist in an improvement of the condition and regulations of that branch of maritime pursuits, and an efficient system of registration by which their number and quality might be correctly known. He hoped that when the Bill was printed, and laid before the House, it would be found to contain some provisions to make the registry efficient; for, if it should be left to the merchant seamen to register themselves or not, as they themselves pleased, he was quite sure that, unless some strong declaration that impressment would only be resorted to in cases of invasion, or other great emergency, they would entertain a strong objection to a system of registration. To make registration efficient, he conceived it ought to be made compulsory; and to effect this, nothing could be easier than to provide against any commander of a merchant ship receiving or entertaining on board any seaman who did not produce to him a certificate of his registration. This certificate would, at once, serve as a character to the holder, and a means of employment in time of peace. The right hon. Baronet, in passing from the subject of the consolidation of the laws relating to the merchant service, had entered upon the subject of impressment, and had demanded a recognition of the King's prerogative, in the right to impress in time of need. On the last occasion that the subject was under discussion, he (Mr. Buckingham) had admitted (and his motives in so doing had since been much questioned) that right, and that the King was entitled in time of need, to the services of all his subjects, either at sea or on land; and he would say, that if one class more than another felt themselves insulted by the supposition even that they would shrink from such a duty, that class was the British seamen. Show them existing dangers, and something approaching fairness in treatment, and they would readily come forward at their Monarch's call. By the proposed measures, however, impressment would lose all its sting, by the limitation of the duration of service, by the increased bounties to be given to volunteers, &c. and though it might be called by the same name, it would become a very different thing. He rejoiced that the subject still remained in the hands of the right hon. Baronet opposite, who had met the propositions submitted last year, upon the subject, with so much amenity; and he trusted that the right hon. Baronet's proposition, though now those of an individual Member, would meet with the cordial attention, the assistance, and the sanction of his Majesty's present Government. He (Mr. Buckingham) should reserve any further observations until the future stages of the Bills, and in the mean time, he should retire this evening, from the house, proud in the assurance, that the interests of British seamen were to be taken into consideration, and that they would not be the only class of his Majesty's subjects who could be dragged from their homes without limitation to their service, and he believed that the body would almost hold a jubilee in celebration of these announced measures of emancipation.

Mr. *Baring* said, he was glad the right hon. Baronet had undertaken to bring this subject under the consideration of the House. He was sure, that no Member could have brought it forward with a greater certainty of obtaining the confidence of the House, and of every Member of his Majesty's Government, and, consequently, with a better prospect of making the measure efficient and beneficial. He hoped that all the benefit would be derived from it which these circumstances promised. He was sure that there was no person old enough to examine the history of the last war, but must see that it would be impossible for this country, in the event of another naval war, with the present habits and feelings of the people, to repeat the mode of manning our navy, which was practised at former periods. Every man must feel this impossibility, not only on account of the great abhorrence with which the system of impressment was regarded, but because the first gun that was fired, must involve us in a war with that country, with which, of all others, it was most desirable that we should remain at peace—he meant the United States of America; for it was impossible to expect that any nation, possessing a feeling of independence, or having a character at stake, would submit to the measures that were resorted to with so much rigour, during the last war. This was, therefore, not a question of speculation, but a question, which it was of importance, that the country should look in the face, and it certainly was desirable that whatever changes were expedient, should be made in a period of profound peace. Amongst the many obligations which the country owed to the right hon. Baronet, for the services rendered by him in the departments of which he had had the administration, there was none equal to what would be due to him, if he could succeed in producing a Bill acceptable to all parties interested. Of course, the details of the measure would have to be looked to by the various departments with which such subjects were connected, particularly the Admiralty, and that branch in which the duty of taking care of the interests of the merchant seamen devolved upon. It would be necessary to see that no more restrictions were introduced than were necessary; but the country must be aware that some provision for registration must be adopted, and he was sure that such a regulation would be willingly submitted to, for the purpose of avoiding the greater evil, and securing that which he believed was uppermost in the mind and feelings of every one in the country—namely, maintaining that naval supremacy, which had always been the boast of England.

Captain *Berkeley*, as holding his Majesty's commission in the service, felt it to be due to the right hon. Baronet to tender his thanks for these measures, and to express his readiness to go hand in hand with him in carrying them into full effect.

Captain *Gordon* wished every possible success to the measures, but at the same time, he could not conceal from himself that registration was a subject of great difficulty. He rejoiced, however, to find from what had just fallen from the right hon. Gentleman who had just spoken, that the assistance of his Majesty's Government would be afforded, and that, therefore, the subject would receive the support of both sides of the house.

Mr. *Aaron Chapman*, as the representative of a seaport, congratulated the House and the country, that the period had arrived when a measure so essential, so politic, and so necessary for the naval service, was about to be carried into effect.

Mr. Alderman *Thompson* was ready and willing to render every assistance in forwarding the objects which the right hon. Baronet had in view. He, however, must observe, that the Bill relating to the registration and to the merchant service would, of necessity, entail a burden upon the shipping interests, to which he could only agree upon receiving the equivalent relief afforded by the abolition of impressment. He must, therefore, make it a condition, that both measures should pass together into laws. He felt peculiar satisfaction on learning that the right hon. Baronet was to have the sanction and support of his Majesty's Government, and he rejoiced that the country might fairly look forward to the abolition of a system which was opposed to the principle of its institutions.

Admiral *Adam* observed, that he had said, last Session, that he was prepared to hear the arguments brought forward, and to see the effects of the measure which his right hon. Friend, the Member for Cumberland, intended to bring forward, before he, as a naval officer, would vote against impressment, because he knew that circumstances might arise when it would be necessary to resort to impressment for the purpose of manning the King's fleet, in order to resist the foreign foe. Until some efficient measure for manning the fleet could be substituted, we must not throw away impressment. But, knowing the disadvantages of that system, he hailed with satisfaction the measure of his right hon. Friend; and the amelioration and amendment it had undergone since the last Parliament, with great care and attention to the details, he had no doubt that the measure would conduce to put an end to the grievous evil of impressment for the King's naval service. He desired this, not only as a citizen of this country, but also as a naval officer, because he knew that the old adage was true, and that "one volunteer is worth two pressed men." He would beg leave to call the attention of the House to the amelioration of the system of impressment which had taken place towards the end of last war. At first, men were kept in their ships, from five years to five years, and from ten years to ten years, and they had not the means of visiting their friends when they came to England, after an absence of many years, but towards the end of the war they received a portion of what was due to them, and were allowed some weeks absence. These relaxations had produced the best possible effect.

Sir *Philip Durham* said, that no First Lord of the Admiralty had ever made greater improvements in the service, and with more economy, than the right hon. Baronet. He thought highly of the right hon. Baronet's measure regarding registration, and hoped it would succeed, but was happy that he had not given up impressment. The gallant Officer opposite said he preferred one volunteer to two pressed men, but he himself always preferred one pressed man. In time of war, the most able, the most hearty, and the most useful men, were the pressed men, and, in four hours after they were pressed, went to work with cheerfulness and good will. He was glad the right hon. Baronet had not given up impressment, although, at the same time, he hoped that recourse would not be had to it. He was delighted that the rising generation would have an opportunity of getting rid of the obnoxious system of impressment, but he could not give up the idea that a pressed man was as good as a volunteer.

Mr. *O'Dwyer* was understood strongly to dissent from the proposition, that there existed, by the constitution, a prerogative right in the Crown to impress men for the naval service. No such right, he contended, existed, except only in such cases as might render it necessary for all the subjects of the realm to take arms.

Sir *Matthew White Ridley* felt great gratification upon the introduction of these measures. He also could fully corroborate the statement which had been made by the hon. Member for Tynemouth, inasmuch as he had himself held an interview a short time since, with a large body of seamen, from whom he distinctly understood that, however great they felt the evils of impressment, they would, even under it, ever be ready to enter into a temporary period of service under the Crown. This was highly creditable to the parties concerned. He thought the system, however, ought to be abolished, and he therefore fully participated in the satisfaction so generally expressed upon the introduction of measures, which would have the effect of relieving the service from so prejudicial a course of proceeding.

Mr. *David Barclay* expressed his approbation of the proposed measure — a measure which he believed would be highly satisfactory to his constituents, who were deeply interested in the matter.

Mr. *Ingham* maintained, that the prerogative of the Crown involved the right of impressment, and that for the protection of the country, the monarch could call for the services of all lieges in the land. The question had been laboriously investigated some years ago, and the opinion of Mr. Justice Foster fully established the existence of this prerogative. He had recently met a large body of men, engaged in the merchant service, and was struck with admiration upon hearing the manly, judicious, and loyal spirit, with which they discussed the obnoxious subject of impressment, and admitted its necessity. He congratulated the House upon the proposed Bills, which, in his judgment, were calculated to make the King's service popular.

Leave given to bring in the Bills.

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HOUSE OF LORDS,

Wednesday, March 18, 1835.

MINUTES.] Bill. Read a second time:—Exchequer Bills; Transfer of Aids; Newspaper Printers Relief.

Petitions presented. By the Earl of RODEN, from several Places, for Additional Accommodation in Scotch Churches; from two Places, for the Better Observance of the Sabbath in Ireland.

CANADA.] The Earl of *Mulgrave* wished to ask the noble Earl, the Secretary for the Colonies, a question on a most important subject—he meant the disputes with Canada. At the period of the dissolution of the late Government, steps had been taken for dealing with that question. He understood that some measure had now been adopted. He believed that the noble Earl would be prepared to state that Government was about to send a Commissioner from this country to arbitrate respecting the disputes. The results of that measure must depend on the person sent, on the instructions given to him, the limitations within which they were confined, the time he went out, and the way in which he was received. One thing, too, he must say—that no one could undertake a more difficult or delicate task than that which would be intrusted to this Commissioner. Perhaps the noble Earl would name the individual selected? He wished, too, to inquire respecting an expression believed to have been used by a right hon. Gentleman in another House of Parliament, that the Commissioner was to act on his own responsibility respecting all the subjects of dispute. Now there were some that he might decide, but there were others that could not be decided but by the Government itself, and subject to Parliamentary responsibility. This was a subject of great importance, and he trusted that no further delay would take place, for delay would only increase the amount of the evil.

The Earl of *Aberdeen* said, that the noble Earl would do him the justice to believe that he was as much interested as the noble Earl in the satisfactory settlement of these disputes; and from this time he should not look at the subject without feeling that he incurred some degree of personal responsibility respecting it. He agreed with the noble Earl as to the extreme delicacy of the transaction, and also as to the necessity of avoiding every species of delay. He hoped that the noble Earl did not mean to impute to him any unreasonable delay, seeing that the Committee of the House of Commons had reported on the subject about the 1st of July, and on his accession to office he found no step whatever taken upon it. He did not mention the fact that no measure had been taken by the late Government with a view to impute that as a fault, but merely to exculpate himself from the blame of having been guilty of delay since he came into office. He quite concurred with the noble Earl as to the delicacy and difficulty of the task imposed on the individual undertaking the office of Commissioner. He was aware that much depended on the selection of that individual, who would not, however, be invested with such powers or such a character as the noble Earl appeared to understand from the expression attributed to his right hon. Friend. What that expression was he did not know, but he knew that that Commissioner would have no other responsibility than that of following the instructions given him from this country. The object was, that the person selected should go fully provided with instructions, so that there should be no necessity for repeated communications across the Atlantic. The responsibility would be no other than that of the due exercise of the powers with which he was intrusted. He was aware that great qualifications would be required in such a Commissioner; much ability, judgment, discretion, and, above all, character and conduct, remarkable for a conciliatory spirit. Great as these qualifications were, he did not despair of the person to whom his Majesty had been pleased to intrust the task. He had this day submitted the name of an individual to his Majesty, who had been pleased to approve of him, and he had no difficulty in stating the name of that individual. The Government had secured the services of Viscount Canterbury. The situation in which the Government was now placed, was one which had not arisen from any misconduct of his own, but it would not be likely that he should be able to settle the differences now existing. It was, therefore, a matter of necessity to select a competent person, and to send him with special instructions for effecting a special object. He repeated, however, that the noble Earl was mistaken as to the powers and responsibility of the Commissioner.

Lord *Brougham* wished to make one observation with respect to the delay which by the noble Earl seemed imputed to the late Government. The dates would settle that at once. The Report was made about the end of the last Session. It was necessary that that Report should be considered, first by the Secretary for the Colonies, and then by the Cabinet Ministers. His right hon. Friend had no opportunity to consider it till the Cabinet broke up, which he supposed would be admitted to be usual at the end of the Session. [The Earl of Aberdeen dissented.] Well, then, it was not usual, and the Members of the present Cabinet would not go into the country at the end of the Session—they were to have a new Marriage law, and they were now to have a new Cabinet law. His right hon. Friend had considered it at the earliest period; no time was lost, as he personally knew, for his right hon. Friend had laid before him the papers, to consult him on constitutional matters connected with them. He returned those papers in a week—he suffered no business—certainly no relaxation—to prevent him from preparing a long and elaborate paper on the subject, which was given to his right hon. Friend; means were taken to make each of the Cabinet Ministers acquainted with all these papers, and a Cabinet meeting was summoned on the subject for the very day on which the dissolution of the Government took place. Considering the papers to be gone through, he thought there had been no unreasonable delay between August and November. The matter itself was one of great importance, not only as between the mother country and Canada, but as between sections of the people, there one section being to the other as seventy-eight out of eighty-eight. As to the powers given to the Commissioner, he did not see how it was possible for him to act as an arbitrator, for though one party might choose him, the other party might not adopt him, in that character. He hoped that the matter would be treated with the same candour on the other side of the water as Parliament was inclined to treat it here, and that it might come to a satisfactory issue.

The Earl of *Aberdeen* had not intended to make any charge of delay against the late Government, but only to exculpate himself from such a charge. The Report was made about the first or second of July, and was not altogether new matter for the consideration of the Government. He himself had not accepted office till the 10th of December, and if, therefore, there was any charge of delay, it could not fairly be imputed to him. He repeated that the Commissioner would go charged with special powers for a special purpose. He assured the noble and learned Lord that he had made no insinuation of a charge of delay.

Lord *Brougham* had so understood it. The matter had been considered by the Members of the late Cabinet, and the dispatch would have gone out directly after the meeting of the Cabinet.

The Earl of *Mulgrave* said, he could take off one month of the delay. The packets did not sail more than once a month. A packet would have sailed a day or two after the intended Cabinet meeting, and would have taken out the dispatch. As to the noble individual appointed to the office, he could not, so far as his noble Friend was concerned, rejoice at the appointment, for the situation was one of a most delicate and difficult nature; but he was sure that there could be no more proper person for it, not only with regard to his ability, but to the amenity and amiability of his manner and disposition.

Subject dropped.

HOUSE OF COMMONS,

Wednesday, March 18, 1835.

MINUTES.] Bill. Read a second time:—On the Motion of Sir JOHN CAMPBELL, Copyholds.

Petitions presented. By Mr. CLAY, from Ships' Stewards in the Service of the East-India Company, for Compensation for Loss of Employment.—By Lord SANDON, from a Society at Liverpool, for Adjourning the Assizes from Lancaster to Liverpool.—By Mr. WILKS, from Coal Merchants of Lincolnshire, for Amending the Weights and Measures' Act.—By Mr. HUMPHERY, from the Commissioners of the Court of Requests, Southwark, against the Imprisonment for Debts' Bill.—By Lord STORMONT, Mr. WALTER, Mr. PACKER, and an HON. MEMBER, from several Places,—for the Repeal of the Duty on Spirit Licences.—By Sir OSWALD MOSLEY, from Whittington, for Relief to the Agricultural Interest. —By Lord MORPETH, Mr. HESKETH FLEETWOOD, and Mr. BAINES, from a Number of Places,—for the Repeal or Amendment of the Factories' Regulation Act.—By Mr. F. VILLIERS, from Canterbury, for the Vote by Ballot, and Freedom of Election.—By Messrs. A. JOHNSTON, HOPE JOHNSTONE, MAULE, SINCLAIR, STEWART, MACKENZIE, and Captain WEMYSS, from a Number of Places, —for Protection to the Church of Scotland.

PRIESTS AND MAGISTRACY (IRELAND.)] Mr. *O'Dwyer* presented a Petition from two individuals, named Walsh and Murphy, one of whom was a Roman Catholic priest, complaining that Mr. Doyne, a Magistrate of Carlow, had offered from the Bench to pay a fine inflicted on two men, who had been convicted of assaults on persons at Borris, because they were opposed to the return of Mr. Kavanagh, the present Member for the county. Such conduct, he must say, was highly improper on the part of any Magistrates, and, if the allegations contained in this petition were made out to the satisfaction of that House, Mr. Doyne ought not to be allowed to remain in the Commission of the Peace.

Mr. *Kavanagh* denied the truth of the statements put forward in the petition. He was Chairman of the Quarter Sessions when the two men in question were convicted, and he could, therefore, state, that no such proposition as that alluded to by these petitioners was made either by Mr. Doyne or any other Magistrate. The petitioner said, that those who perpetrated outrages in his favour during the late election were indemnified against the consequences, but he must positively deny that any outrages were committed by any of his friends or supporters on that occasion. On the contrary, it was notorious that the only outrages perpetrated during the late election proceeded from those by whom he was opposed, namely, "the Priests' party;" and it was a fact of equal notoriety, that collections were made by the priests from the altar to pay the fines which might be inflicted on those of their adherents who might be convicted of outrages.

Mr. *Finn* said, that while such proceedings on the part of the Magistracy as those complained of were tolerated it would be hopeless to look for peace or order in Ireland. Instead of the priests interfering, as the hon. Gentleman had alleged, with a view to intimidate the voters, they were compelled to take no part in the proceedings of the elections by every species of threat. The charge of intimidation, therefore, rested not with the priests but with the landlords, who used all the influence they possessed to oblige their tenants to vote for a particular candidate.

Colonel *Bruen* said, that he could not allow this petition to be placed upon the Table without making a few observations on the allegations contained in it, and the persons from whom it proceeded. He held in his hand an affidavit which would set the matter at rest, so far as the conduct of this individual priest was concerned. The affidavit to which he alluded was made, not by a Protestant, but a Roman Catholic, who resided in the part of the country where the Rev. Mr. Walsh lived; and the statement contained in it was first delivered in a Court of Justice, and while this same priest was present on the trial of certain parties who had been guilty of an outrage. The priest, at the time, denied the statement; but, notwithstanding this, the man not only persisted in it, but subsequently deposed to every fact he had mentioned; and, if he were to read this document, the House would be convinced that this petition was undeserving of attention. The hon. and gallant Officer then read the affidavit, which was in these words:—

"*County of Carlow to wit*:—The information of Patrick Roache, of Borris, in the said county, who deposeth and saith, that on Sunday, the 1st day of February instant, he attended mass at the chapel of Borris, where he heard the priest, the Rev. John Walsh, sen., proclaim from the altar his intention of making a collection on the following Sunday for the purpose of raising a fund for the payment of fines inflicted by the Magistrates on persons found guilty of assaults.

"Deponent further swears, that this declaration had scarcely passed the priest's lips when a movement took place by some people near the chapel door, towards the steps of the gallery, when Edward Mulligan, the only freeholder in the chapel who opposed the priest's party at the late election for the said county, was then sitting, but who were prevented, as deponent believes, attacking the said freeholder by a person who stood at the foot of the steps of the gallery; but as soon as the priest turned round to quit the altar, a simultaneous rush was made up the gallery where the said freeholder, Edward Mulligan, was, and who in an instant was dragged off his knees, thrown down the stairs, nearly twenty feet high, and totally ejected from the chapel, and, when outside, pelted with stones, and otherwise assaulted: and had it not been for the humane and manly conduct of some of the people of Borris, deponent verily believes the consequences would have been probably fatal to the said Mulligan.

"Deponent further swears, that the whole of this disgraceful scene was perpetrated in consequence of the encouragement held out by the aforesaid priest, viz., that he would raise a fund for the purpose of paying the fines inflicted by the Magistrates upon those persons found guilty of assaults (as deponent verily believes) on those freeholders who opposed the priest's party at the late election for the said county. (Signed) "PATRICK ROACHE."

"Sworn before me this 10th day of February, 1835. (Signed) ROB. DOYNE."

The affidavit which he had read would, he thought, put the House in full possession of the real character of this reverend agitator, who was one of the greatest firebrands by whom the peace of Ireland was disturbed. From the proceedings of this priest the conduct of others might fairly be inferred; and while such an interference on the part of the Roman Catholic clergy was tolerated, no laws would be available in Ireland. Since the passing of the Emancipation Bill the priesthood had so agitated the county with which he was connected as to render it almost unsafe to live in it. What he had stated was a notorious fact; and he again asserted, that, unless strong measures were adopted to restrain the Roman Catholic priests from the course of intimidation which they had been pursuing, Ireland would soon be in such a situation as not to be habitable by any other Christian sect. As it was, he could assure the House, that the county which he had the honour to represent was almost unfit for a civilised person to live in; and the consequence of opposing the wishes of the priests incurred, he might almost say, no less a penalty than death. Not only were the lives of the individuals placed in jeopardy by opposing the views of those persons, but even whole families had fallen sacrifices to the spirit of animosity which they had been the means of engendering. [*Cries of* "*No! no!*"] What! could it be denied that whole houses had been burned down—that both father, mother, and children, had fallen victims to the flames, ignited by midnight incendiaries for their destruction? But, without detaining the House longer on a subject so painful, he would conclude by observing, that the affidavit which he had read would give the House some faint notion of the scenes which were daily perpetrated in Ireland.

The *Speaker* thought that a great deal too much had been said on the presentation of this petition. If such discussions were got up on every petition which was presented, the time of the House would be taken up, not only unreasonably, but to the exclusion of all other business.

Petition to lie on the Table

CITY OF DUBLIN ELECTION.] Mr. *O'Connell* begged to call the attention of the House to a matter in which he was personally interested. The ballot for the city of Dublin election was fixed to take place to-morrow. There were four petitions against the return of himself and his hon. colleague. The first was presented on the 25th of February, the second on the 4th of March, the third on the 7th of March, and the fourth on the 9th or 10th of March. The petition presented on the 25th of February was abandoned, and a ballot was appointed for to-morrow to try the merits of the other petition. The agent for the petitioners informed him, in the presence of his hon. colleague, that the second petition, that of the 4th of March, would be abandoned also; and, accordingly, reference was made to the examiners to inquire into the solvency of the sureties offered in support of the third petition. That question came for discussion before the examiners on Monday last, and it was decided that the sureties had not justified; but, under the circumstances of the case, the examiners determined that the sureties should have till the 25th to put in their justification. An application to that effect, founded upon the report of the examiners, was to have been made to the House, and there could be no reasonable objection to comply with it. On Monday, therefore, he wrote to Dublin to stop his agent and witnesses from coming up to attend the ballot to-morrow. That day (Wednesday, March 18th), however, the opposite party had taken up the second petition, that of the 4th of March, which they had declared they had abandoned, and passed the sureties for it; the consequence of which was, that if the House should not interfere in his behalf, the ballot would take place to-morrow, when he would be deprived of the assistance of his Dublin agent, on whom he most relied, when he would be without instructions for cross-examination, and without witnesses. Under these circumstances, he suggested that the ballot should be postponed from to-morrow to that day week, which was an open day, the ballot originally fixed for that day having been discharged. He thought that his request was not unreasonable. He was aware that the manner in which he had brought the matter before the House was not strictly regular; but he was compelled to deviate from the usual form—namely, the presentation of a petition—on account of the urgency of the case. The House must come to a decision upon the point that night, or not at all, for the ballot was the first business to-morrow, and nothing could precede it. A petition, however, was at that moment being actually prepared, and his solicitor was ready to verify, by affidavit, the statement which he had made to the House. Under these circumstances, he hoped the House would see the justice of postponing the ballot.

Mr. *Shaw* said, that he would put the House in possession of the facts of the case, as far as he knew them, and would then leave it in the hands of the House. The hon. and learned Member had informed the House, that the agent for the petitioners had undertaken to abandon the petition of the 4th of March, and proceed with one of a subsequent date. Now, the agent had just put into his hands a paper, which, with the permission of the House, he would read. The right hon. Gentleman then read a statement which was, in substance, as follows:—He declared solemnly, upon his honour, and was ready to do so upon his oath, if required, that he never stated that it was his intention to abandon the petition of the 4th of March, but, on the contrary, that if the hon. and learned Member for Dublin should succeed in his attempt to cause the sureties to the third petition to be rejected on Monday last, he would proceed with the petition of the 4th of March; and, in order that there might be no mistake about the matter, he caused a notice to that effect to be posted up on Saturday last. On Monday last an objection was unexpectedly, and without notice, made to the sureties on the third petition, and as there was nobody on the spot to answer it, the examiners said, that they would make a Special Report, for the purpose of obtaining further time to inquire into their validity. Under these circumstances, the agent, knowing that he would have to keep his witnesses in town at a great expense, determined, as he could not proceed upon the third petition, he would go back to the second, and this day had satisfied the examiners of the validity of the sureties to that petition, which were the same to which the hon. and learned Member objected on Monday, for the sureties were the same in both cases. Under these circumstances, it appeared to him that the hon. and learned Member had not been taken by surprise, and that he always knew that the petition was to be proceeded with. It was for the House to decide whether, after what he had stated, they would put the petitioners to the expense which would be occasioned by the postponement of the ballot.

Mr. *O'Connell* said, it was necessary the House should be in possession of the facts, and the first fact to be ascertained was, whether the agent for the petitioners did a week ago make a voluntary statement that he had abandoned the petition of the 4th of March, for the prosecution of which he had now put in sureties. Four persons were present when that declaration was made, two of whom, namely, the agent and his clerk, were ready to depose to the fact, whilst he and his hon. colleague would confirm their evidence, by stating that an unconditional, unequivocal abandonment of the petition, had been volunteered. The truth of the statement he had made to the House, was confirmed by what had fallen from the right hon., the Recorder of Dublin. Why should the opposing agent, talk of providing a new set of sureties, if one had not failed? The right hon. Gentleman said, that a notice was posted on Saturday, stating that the opposite party would proceed with the petition of the 4th of March, and yet the objection to the sureties was not taken till Monday. It would be positively sworn, that on Monday even the opposing agent declared, that the petition of the 4th of March, was abandoned. In consequence he had, as he before stated, countermanded the attendance of his principal agent and witnesses, and he had abstained from preparing the statement, and the lists which must be exchanged on the day the ballot took place. A consultation of counsel for the purpose of preparing the statement, had been appointed to take place on Tuesday, but was postponed, in consequence of it being understood that the petition would not be prosecuted. If the House should, under these circumstances, refuse to postpone the ballot, it would amount to an absolute denial of justice. As to the statement which the opposing agent had made to the House, through the right hon. Gentleman, he thought that a man who had acted as he had done, was not so faithworthy as should induce the House to credit his bare assertion.

Mr. *Spring Rice* was quite sure that after the hon. and learned Member had declared that he had been informed by the agent for the parties who had petitioned against him, that a particular course would be dropped and another adopted, and had in consequence of such communication, been put off his guard, and subjected to difficulty in respect to bringing up his witnesses and making good his defence, the House, if that statement were correct, would not allow such a proceeding to operate to the prejudice of the hon. and learned Member. If he (Mr. Rice) had had the misfortune to be two or three times petitioned against, and had been misled in the same way as the hon. and learned Member stated himself to have been, he certainly should have appealed to the House, for he felt quite satisfied that in such matters no party spirit would be allowed to interfere to prevent justice being done. In the present case, it was asserted on the one side, that the engagement which had been referred to, was entered into conditionally; and, on the other, that it was made unconditionally. Now, let the House consider which of these statements was the most likely. The right hon. and learned Recorder had said that the objection taken to the securities was totally unexpected. At the time, therefore, of entering into the engagement, the objection which was afterwards taken and disposed of by the examiners, was not in the contemplation of the parties. Under these circumstances, he thought that the House would not be doing justice to the sitting Member, to compel him to enter on his defence, when he declared that he had been deprived of the opportunity of preparing his defence. But he must take the liberty of saying that, whatever decision the House might come to in the present case, the agents ought to be warned that the Members of that House would not allow the jurisdiction of Parliament to be trifled with, nor suffer statements to be made for the sole purpose of misleading parties as to the period at which they ought to be prepared with their defence.

Mr. *W. Wynn* concurred in the view of the case taken by the right hon. Gentleman who had last spoken. He thought that the House could not, without injustice, allow the sitting Member to be put off his guard by a statement of the agent of the parties opposed to him. If the circumstances mentioned by the hon. Member for Dublin had occurred, they would undoubtedly form a justification for postponing the ballot; but the question was, how were those circumstances to be established? [Mr. *O'Connell.* There are witnesses ready to prove them.] He meant no disrespect to the hon. and learned Member; but he must be permitted to say, that as the House had not the means of administering oaths, great difficulty must be felt in coming to a decision on a question of controverted facts. The Election Committee, however, had the right to administer oaths, and he therefore thought it desirable that application should be made to the Election Committee, when appointed for a postponement of the consideration of the case.

Mr. *O'Connell* implored the House not to hand this matter over to the decision of an Election Committee. He implored the House, for the sake of justice, to hear such witnesses as were then ready to be sworn at the Bar. They were ready to depose to the fact of a distinct declaration having been made with respect to the abandonment of the petition. If the ballot were to take place, and a Committee be appointed, his whole case would depend on the decision to which six Gentlemen of the Committee might come, as to the construction of an Act of Parliament, which was read differently by different lawyers. Why should he be placed in such jeopardy as that? He moved that Sir R. Sidney be called to the Bar.

The *Chancellor of the Exchequer* said, that it appeared to him that the House having fixed a given day for the ballot, the sitting Member was bound by that decision, under all circumstances but one, and that was a voluntary communication, by which he was put off his guard. If that fact were established, or if the hon. and learned Member *bonâ fide* declared that a communication was voluntarily made to him by the agent of the opposing parties, by which he was placed in a worse position than he would have stood in, if the communication had not been made, he (the Chancellor of the Exchequer) really thought that in point of justice, the House ought to interfere to prevent that injury being done. He did not pretend to say whether or not it would be necessary, for the purpose of insuring regularity in their proceedings, that evidence of the asserted fact should be taken at the Bar.

Mr. *Ruthven* said, he was present when the declaration referred to, had been made by the agent of the petitioners, who had been guilty of a sort of intrigue and dishonesty. He had heard the conversation already spoken, most distinctly, and he had previously heard the agent (Mr. Baker), in the presence of another person, declare that he never intended to proceed on the first, or on the second petition.

Sir *James Graham* thought, that if there were one point of more importance than another to the dignity and order of their proceedings, it was this—that the solemn declaration of a Member in his place in that House, was always considered as equivalent to an oath. The hon. and learned Member for Dublin solemnly stated in his place, that he did receive an unequivocal declaration from the agent of the petitioners, and as that person's contradiction could not be obtained on oath, he (Sir James Graham) being anxious to maintain the honour of the House, which was involved in the assertion of the principle that a Member's solemn declaration was equivalent to an oath, would urge the House, especially in the present instance, where the postponement of a week was only required, to depend on the word of the hon. and learned Member, for the sake of the dignity of the House.

Sir *John Campbell* rose and said, that in consequence of what had occurred, he should move that the ballot for the Dublin Election Committee be postponed till that day se'nnight.

Motion agreed to.

IMPRISONMENT FOR DEBT BILL.] Sir John Campbell moved the Second Reading of this Bill.

Mr. *Richards* had received numerous communications from persons who entertained the utmost fears in consequence of the introduction of this Bill. They did not object to the details, for they had no opportunity of seeing them, but to the principle of the measure. It appeared altogether to have been forgotten by the hon. and learned Gentleman who originated this Bill, that they were not living in a state of society like that of ancient times, nor in such a state as it was the object of the Christian religion to institute. It seemed to be the object of this Bill, to assure the public that on all occasions creditors were wealthy and debtors were poor, and that creditors ought on all occasions to be merciful to debtors. By giving summary remedy, too, it appeared that it had been forgotten, that while a man owed money on the one hand, he might have money owing to him on the other, and by this Bill he might be precluded obtaining the amount of debts due to him in sufficient time to meet an opposing claim. There was one remarkable thing, too, with regard to this measure, and to which he begged to draw the attention of the House, viz., that, except from one jail in the metropolis, there was no petition in its favour. He could not, therefore, but look upon it—seeing that there were no signs of support being general—as a piece of gratuitous legislation on the part of the hon. Member for Edinburgh, who, be it understood, had not even condescended to communicate with any persons who might be supposed to represent the commercial interests. He might have ascertained from one of equal authority on such a subject at least as himself, how such alterations would affect the commercial classes. He could then have given his reasons in detail, and, when those reasons had been stated, hon. Gentlemen might have been able to come to some conclusion on a subject that so much demanded their serious attention. He (Mr. Richards) had been, for thirty years, engaged in commercial transactions, and he could not look upon the introduction of this measure as anything but a serious infliction on the interests of trade; and that, if carried into execution, it would create a mortal disease in the body politic. He could not, therefore, entertaining such opinions, do less than come forward and protest against this Bill. The motives, that actuated men, were the hope of reward and the fear of punishment. Human legislation invariably proceeded upon those acknowledged principles; but, as hope could rarely be brought to bear, resort was commonly and necessarily had to fear. But, in this measure there was nothing to fear and everything to hope for the dishonest, for it gave all imaginable inducements to knaves and thieves to cheat the community. The preamble professed to facilitate the recovery of two things for the advantage of the creditor, which were bills of exchange and bonds, but why were book-debts omitted? They were often much larger than the two former mentioned securities. But what he complained of was, that the great body of the public most interested were entirely unacquainted with the purposed details; and before attacking the interests of such numerous and great bodies they should have been consulted. He should like to know if arrest of the person was abolished, what protection tradesmen could have against that large mass of the community who lived in lodgings? Generally speaking, they had no chattels to seize, and obtained credit from day to day and from month to month without any visible means of subsistence, and yet this Bill would take away the power of arrest and imprisonment, which was the only security the housekeeper had against the fraudulent impositions of this class of persons. Hon. Gentlemen who previously supported this measure had said, that if bills of exchange were decreased by this Bill, as had been maintained, that those that were in circulation would be all good ones. Now, he never arrested five men in his life, and would engage to say, that nineteen bills out of twenty were paid. But the fact was, that some hon. Gentlemen set themselves up as *Doctrinaires* and Utilitarians, and never troubled themselves about things as they were. He could easily suppose the case of a poor man calling upon a Member of Parliament in the country, and requesting payment of a sum of money. The money might not be at hand, but yet the poor fellow would not be sent away. A bill might be given him, which might never again be thought of by the Member, unaccustomed to the routine of business, and then for its non-payment the poor man who had failed with it might, on ten days notice given, have execution levied on his goods. This would be a state of things most monstrous and cruel, and he trusted this measure which he looked upon as a supplement to that Bill which on the same subject fifteen years ago was rejected amid the laughter and sneers of that House, would not pass into a law. It would lessen the number of bills—no man would care to draw a bill. [*Cheers.*] The hon. Member for Bridport cheered;—had he then lived in some fancy region, or was he so blinded-by-benevolent theories that he forgot the state of society in which he existed? Why, 19-20ths, he might with as much safety say 99-100ths, of the trade of this empire was carried on by credit, and that credit by bills. Would they then, in this state of things, with eight hundred millions of debt, and twenty millions of taxes, be guilty of anything so monstrous and cruel as passing this measure? The *Doctrinaires* who had brought it forward, were a set of people fond of applying general principles without entering into particular circumstances. They were merely syllogism men, and cared not to look to consequences. [*Laughter.*] He really did not see the applicability of the hon. Member for Liverpool's interruption, perhaps it was owing to his (Mr. Richard's) obliquity of vision; but he was afraid the hon. Member, who ranked among the Utilitarians, as he believed, felt a little sore under his remarks, and thence proceeded the interruption. As a new Member of Parliament, for he had only been in Parliament two years, he had made these observations, hoping it would lead to a discussion on the principles of the Bill, but it certainly did appear to him a matter of the gravest importance, and deserving the most serious consideration of the House, whether they would repeal the law at present existing, and give no adequate protection to book debts, which constituted by far the largest class of debts. If they did repeal it, and if creditors should find it impossible to go on giving credit as they did, and debtors should find it not quite so easy to borrow as formerly, they would then, perhaps, find it necessary to recur to the old law of debtor and creditor. The hon. Member, after apologizing for the imperfect manner in which he had handled the subject, concluded by saying, that his principal object was attained if he had roused the attention of those better qualified than he was to discuss the details of this measure.

Mr. *Baring* observed, that as the hon. and learned Member for Edinburgh had stated his wish that the Bill should be referred to a Committee up stairs, and he did not wish to multiply discussions, he would reserve the statement of his opinions on the principle of the Bill till the time of the Speaker's leaving the Chair for the House to go into Committee, supposing the Bill to be now read a second time without discussion. If the hon. and learned Member had no objection to his taking that course, he would then say nothing further than that when this Bill was brought before the House on another occasion, he was apprehensive that the result would be great danger to the trade of the country, and as his opinions were not altered, he felt a difficulty added to the subject by the situation which he had the honour to hold. He would also point out to the hon. and learned Member, that many lawyers, who were Members of that House, were now necessarily absent on their professional business, and he therefore suggested, that it would be better to postpone the discussion on the principle of the Bill till the House went into Committee.

Sir *John Campbell* said, that he was entirely in the hands of the House; but, as far as his own opinion went, he must say, that it would be most cruel and unjust towards those who now languished in the sickness of hope long deferred, not to allow the House now to decide on the principle of the measure to which persons subject to the operation of the present law had so long looked forward. As to the observation of the hon. Member for Knaresborough, that he had entered on a gratuitous piece of legislation, he could only say, that he had received at least 500 letters, not only from debtors, but from creditors, urging him to press the Bill forward. He did think, therefore, that these individuals ought to have the benefit of the decision of the House of Commons on the principle of the Bill.

Mr. *Baring* observed, that whatever serious doubts he might have on the details of the measure before the House, he could not but do justice to the benevolent intentions of the hon. and learned Gentleman who had originated it. No one who knew the hon. and learned Gentleman, but must feel convinced when he gave up professional time of so much value, that the hon. and learned Gentleman was himself persuaded of the importance of the measure. He would shortly state what were his apprehensions in the event of this measure becoming the law, at the same time reserving to himself the right of offering further objections at a future stage of the proceedings. They had not at present sufficiently gathered the opinion of practical men on the subject. The people generally, and the inhabitants of large manufacturing towns in particular, had experienced men on the subject; and he did not believe, that they were favourable to the measure. Although he did not participate in the feelings of the hon. Member for Knaresborough on the subject of *Doctrinaires* and theorists; yet he did think the opinion of merchants and tradesmen were worth all opinions coming from people of less experience. That the theory of this Bill was correct, he was ready to acknowledge—that misfortune was no crime, and should not, if it could be avoided, meet with punishment, and, least of all, the punishment of imprisonment. Yet the universal experience of mankind, and the law of all nations, rendered it fair to conclude, that the possession of the person of the debtor was the only effectual method of recovering the debt. That it was repugnant to feeling he admitted; but with that fact before him he was inclined to think it was the only means of remedy. He had every desire to carry out the principle of the measure, but he could not see what method could be pursued for getting at the property of a debtor if they could not get at his person. He could not see what means could be given of securing the property of the debtor without having the right of arresting his person. A creditor might, under the hon. and learned Member's Bill, get into the house of his debtor, and there he would find chairs and tables, but would be told, that they were the property of a brother, or a sister, or a mere man of straw, and he would see his debtor continue to live in ease and affluence; but if he could take the person of his debtor, it would compel him at once to surrender his property. The hon. and learned Member might say—"You may summon and examine him, and send him to prison if he does not disclose where his property is;" but he was asked—"Sir, where is your property?" "I have got none," would be the answer, and the only means of arriving at the property would be by seizing the person. The tradesmen of the country would be the fitting judges on this question, and not the great merchants. During the many years in which he (Mr. Baring) had been in business he had never arrested a single individual. The persons with whom the large merchants did business had an interest in maintaining their credit, which the persons who dealt with tradesmen had not; and how would it be possible to meet the thousands of swindlers who would overrun the country if this Bill passed, when they took away the means of forcing them to surrender their property? It was urged, that poverty was punished as a crime, but with reference to this subject, that the non-payment of a debt was *prima facie* an offence, and if a person incurred a debt without any means of defraying it, he was as guilty as a man convicted of petty larceny. It certainly was an offence, and what in the present state of the law was the punishment? A man might be confined for about five weeks under the present Insolvent Act, and then get whitewashed; and he held, notwithstanding the pathetic appeal of the hon. and learned Gentleman, that that was not a grievance to be compared to the danger which could arise from the adoption of a contrary practice. It was only a wholesome punishment due to the man who idly and mischievously took, on false pretences, the property of honest tradesmen. Besides, under the present law, if a man could prove, that, in all his proceedings, there was no fraud, if he could make all those proofs which the Commissioners required, he was discharged at the end of a few weeks. The hon. Member for Knaresborough had talked of persons of rank and affluence not paying the bills of their tradesmen. Now, the present law of arrest was a remedy to the tradesmen; for imprisonment would be felt to be a personal degradation by many who would not be influenced by more honourable motives. The hon. Member for Middlesex had said, that trade should be carried on without credit. Now, that was precisely the point on which the question turned. He would tell them plainly, that trade, whether on a large or small scale, could not be carried on without credit. It was impossible to apportion receipts and payments, unless they could be placed at a certain distance from each other. He ventured to say, that let them do what they would, the tradesmen of London, and all large commercial towns, must give credit. They could not bring the country to none but ready-money dealings. For his part he would feel much pleasure if he could come to the same conclusions upon the subject as the hon. and learned Member for Edinburgh; but he was bound to confess that his apprehensions of the effects of the Bill were by no means few or slight. He would confess, however, that there was a great deal of the Bill which was extremely useful, and he believed, that the commerce of the country would on this score find itself much indebted to the hon. and learned Gentleman. It had been argued, that if the House, in passing this Bill, should find that it had made a mistake, it could retrace its steps, but, he thought it would be by far better to avoid the error in the first instance. Let any hon. Gentleman only point out to him any country in which a similar experiment had been made. For his part he had been a traveller to a considerable extent, and he knew of no country that possessed upon the subject a state of law similar to that which the present Bill proposed to introduce into England. America was very anxious for the personal liberty of her citizens, and her laws affecting that personal liberty were sufficiently relaxed; and yet she had no such law as that contemplated by the present measure. France and Holland had not such a law; and, in fact, in no part of the world did such a law exist. Was it prudent, then, to make such an experiment in the most artificial country upon earth? a country more filled with the *chevaliers d' industrie* than any other, and more full of that description of swindlers which preyed upon credit. He had but one more observation to make, and that was upon the facility which the Bill gave for the recovery of the amount of bond debts. There was a class of persons in this country who should be informed of the manner in which this Bill was likely to affect them. The Bill gave a summary remedy against all persons who had signed a bond. Now, there were, at least, one hundred thousand of these bonds afloat between families for the purposes of loans being taken up, and other persons who gave bonds on mortgages creating a lien on their estates, had, by the practice of the country, six months' notice given to them before the money was sued for. [Sir *John Campbell:* Such bonds might be sued upon immediately.] All persons of landed property knew, however, that, by the practice of the country, they could get, or did get, a very considerable allowance of time. When a mortgage was to be called in by the present Bill judgment could be obtained upon the bond in ten days, and in ten days more the property of the person who had signed the bond could be seized, or put into the hands of trustees, if the demand were not otherwise satisfied. Then he had to complain that the most arbitrary powers were given to these trustees. They could select what property they pleased out of a man's estate in order to sell it, to satisfy the bondholder, and could do just as they might think fit, without responsibility or control. All he could say was, that the proprietors of land throughout the kingdom ought to know that this was the proposed alteration to be made in the laws of the country. He had to remind the House, that Bills of this sort, if they were called Bills of improvement, cantered through the House so fast that it was perfectly impossible that persons to be affected by them could know anything of them. He protested against the Bill with respect to its provisions upon arrests for debts, and he had doubts whether the remedy with respect to bonds would not expose persons to inconveniences which had been never even contemplated between them and their creditors. He had thrown out these general observations upon the principle of the Bill; and, though he should not now oppose the Bill passing through another stage, he should reserve to himself the privilege of giving it his opposition in detail.

Sir *John Campbell* hoped the House would allow him to make a few observations in reply to the remarks of the right hon. Gentleman, the President of the Board of Trade. He considered it of great importance to decide without delay on the principle of this Bill. He thought this a much better course than for them to run the chance of the principle being rejected, after having devoted day after day, and great labour, to an examination of the details of the measure in a Select Committee. He was surprised to hear the right hon. the President of the Board of Trade, lament that Bills of this sort cantered through the House; for all who knew anything of the progress of Reform in Parliament, very well know, that such Bills did the very reverse of cantering, or galloping through their stages; notwithstanding which, however, he entertained sanguine hopes that the present measure would pass, without any very serious delay. The Bill had been framed upon the evidence of practical men. Merchants, who dealt with millions, as well as petty shopkeepers, had been equally examined by the Committee; and that Committee, after the most minute examination of every class and condition of traders, came to a determination, that a measure of the present description would prove of the most essential benefit to the whole community. Upon the Report of that Committee, a Bill was prepared and brought into Parliament, in the last

Session, and was most widely circulated throughout the country. He denied, that any man could plead ignorance of the Bill, and he equally denied the assertion of the right hon. President of the Board of Trade, that the Bill was peculiarly calculated for the benefit of debtors. It was a Bill of general provisions, equally calculated for the benefit of debtor and creditor, and for the advantage of the general credit and character of the country. The first provision of the Bill was a summary execution on bonds and bills of exchange. The clause gave a power of summoning a debtor, of compelling him, on oath, to disclose the state of his real and personal property, and of sending him to gaol if he refused to give a satisfactory statement. The third provision subjected to the process of execution the property of every debtor, let it be of what description it might. By the present law, money could not be taken, bills of exchange could not be taken, money in the Bank could not be taken, copyhold lands, and many other species of landed property, could not be taken; and, in fact, the most fraudulent and profligate of debtors might live in luxury upon the property of their creditors, and run those creditors to ruinous expense, and set them at defiance. Such was the present state of the law of this country, and he was glad that so few were to be found who did not wish the law to be altered. The next head of the Bill embraced the principle of the *cessio bonorum;* and then came a provision eminently calculated to punish the frauds of those *chevaliers d'industrie*, of whom the right hon. the President of the Board of Trade complained. Last of all came that great enactment, which does not absolutely abolish imprisonment for debt as the right hon. gentleman supposed, but abolished it, except in cases of fraud, making a distinction which the present law did not make, between the honest and the fraudulent debtor. These were the heads of the Bill, and having stated them, he should advert to the objections made against them. The right hon. President of the Board of Trade had sounded the tocsin of alarm to all persons who had mortgages on their estates, lest payment should be enforced on their bonds in the space of twenty days. In fact, however, the Bill gave no facility to sue upon mortgage bonds, and only met those cases where false and fraudulent pretences were urged for not paying the amount of bonds. What were the pleas by which the indulgence of time, of which the right hon. Gentleman spoke, was now obtained? The party had to plead that he never signed or sealed the bond which he had signed or sealed, and which stood in flagrant evidence against him; or he had to plead that he had given a horse or some other fictitious thing in satisfaction, or he had to put in some other sham plea, by which he compelled his creditor to go to trial, and to throw away his money; in some cases, to throw away good money after bad, and thus he aggravated the injury the creditor had originally sustained. But the right hon. Gentleman said, there was no country in which an experiment similar to the present had been tried. Did not the right hon. Gentleman know, that such a law existed in Germany, in Italy, and in Scotland; and, in which latter country it was well known that it operated most beneficially? But at present, by the law which the right hon. President of the Board of Trade did not wish to see altered, a mortgagee might sue on his bond, and the other party, if he did not pay, must plead a lie, and by fraud and chicanery, might put off the evil day for only three or four weeks; for the right hon. Gentleman was not aware that, by certain rules which the Judges have most properly made, the extent of frauds had been limited. This rule had been found to act beneficially in many instances, and prejudicially in none. The present Bill would prevent the debtors money from being spent among lawyers when it ought to go to the creditors. The next enactment was, that debtors were to be summoned before Judges, after judgment had been passed. The effect of this clause, would be to assimilate the law between persons in trade, and those not in trade. At present, a man in trade might fail for 1,000,000*l*., and he was protected, if he made a full disclosure of his assets. If he absconded, or concealed his property, then he might be sent to gaol. Would the right hon. President of the Board of Trade, tell him why a man not in trade, who owed 500*l*. should, as a matter of course, be sent to gaol, whilst he in trade who owed 1,000,000*l*., should be free? It was a most disgraceful thing, that in England all property of every sort, was not liable to the payment of just debts. The present law of England, in that respect was not creditable to the country, and it was such that, in his opinion, few honourable men wished for its continuance. The present distinctions between the liabilities of personal and real property, occasioned the greatest frauds. It was Sir Samuel Romilly who first endeavoured to effect an alteration in the law. In his day, a man might have borrowed 50,000*l.*, have bought land with it, have died the next day, have left the land to his son or heir, and the creditor or creditors who had advanced the 50,000*l.*, could not have recovered one single shilling, as real property was not liable to the obligations of simple contract debts. The right hon. the President of the Board of Trade, would see therefore that improvements did not canter or gallop through the Houses of Parliament. It was not until the last Session, that a Bill was brought into Parliament by the son of Sir Samuel Romilly, by which simple contract creditors had a general remedy against the real estate of the debtor. Sir Samuel Romilly's Bill carried the principle no further than that, if a man were in trade, his landed estates should be liable to simple contract debts. The creditor had a lien on his estates. It was to the honour of the Reformed Parliament that this distinction between real and personal property had been done away. The next enactment of the Bill related to the principle of the *cessio bonorum* without imprisonment. By the present law the most lamentable consequences ensued. A man who went within the walls of a prison seldom left them so good a man as when he entered. He lost his own respect, and the respect of his friends and the community. He was contaminated by bad example, he spent his time in vice, and the money belonging to creditors amongst lawyers. The expense of going through the Insolvent Court, on an average was, at least, 10*l.* each person, which was so much thrown away amongst the lowest practitioners of the law. The greatest dissatisfaction had arisen from that tribunal, and the dividends on the estates of debtors had not amounted on an average to one farthing in a pound. When he said this, he meant not to cast the slightest reflection on the learned persons who presided in that Court, than whom no public men discharged their duties more diligently and honourably. He spoke only of the system. A man who failed in business for 1,000,000*l.* was discharged without going to gaol; and why not make the same law for a man not in trade who owed a small sum, and honestly gave up his whole property to his creditors? Such was the law in Scotland. He allowed that trade could not be carried on without credit; but there was a vast difference between prudent and wholesome credit, and fictitious and mischievous credit. The first effect of the Bill would be to make the creditor inquire into the character and condition of the person who wanted credit, for trusting to the power of imprisonment, persons give credit with too much facility. The most important clause of the Bill, however, was that which abolished all imprisonment for debt except in cases of fraud. At present imprisonment, as far as the ends of justice were concerned, was a mere farce. A man receiving his *capias ad satisfaciendum*, went into the King's Bench, where by paying the marshal the purchase of the rules, he enjoyed all the pleasures of life, and set his creditors at defiance. The rules extended some miles, and a man might take an elegant house, and his lady give routs without the visitors having any suspicion that the parties whose guest he was, were prisoners for debt within the rules of a gaol. He maintained that such a system ought to be abolished. The gaols of the kingdom would not be sufficient to contain the crowds of debtors that might be thrust into them by the present law, and therefore he was surprised that the President of the Board of Trade should have vindicated it. It is thus, that what was wrong led to what was worse; and the only remedy was to cut up the evil by the roots. The right hon. Gentleman made no distinction between imprisonment on *mesne* process, and imprisonment after judgment on execution; but surely he could not mean to say, that the first should continue? Such a practice was without parallel, except in England and the countries which had adopted its laws; and it would be looked upon with horror all over the Continent of Europe. But, independently of the abuses to which it gave rise, the expense of the system was great; for, the mere giving of bail alone, cost 300,000*l.* annually. He perceived that the right hon. Gentleman was ready to abandon arrest on *mesne* process; but that was precisely what the tradesman most liked; for he hoped to succeed in obtaining his money from some source or other by depriving his customer of liberty. This was no part of the ancient law of England; but although of comparatively modern introduction it had subsisted too long. With respect to imprisonment after judgment, such a power had no doubt, existed in most countries of Europe; but as the influence of the *Doctrinaires*—for whom he had a great respect, notwithstanding the sneer of the hon. Member for Knaresborough—became greater, that power would be everywhere abolished except in cases of fraud. It would be a proud thing for England to set the example of doing so to the whole of the civilized world. Let him repeat to the right hon. the President of the Board of Trade, that this had not always been the law of England; for, by the old common law, a man could only be deprived of his liberty for a breach of the peace. The right hon. Gentleman asked, how was a man's property to be got at, if not by taking his person? Taking a man's person, therefore, could only be justified by its enabling the creditor to get at his debtor's property; for it was not meant as a punishment, as seems to be imagined by the hon. Member for Knaresborough. Misfortune was not, thank God! an offence by the law of England, and the body was only taken to obtain payment of a debt. It was the immediate mode of getting at property; but what he proposed to do was, to get at it by an immediate mode, and, under this Bill, a debtor could be carried before a Judge, and be subjected to all manner of questions to obtain the discovery of his property; and parties will still be able, as heretofore, to proceed by *fi fa.* He would not trespass, however, further on the House. He hoped he had, to the satisfaction of the House, answered the arguments which had been urged against his Motion. He took the deepest interest in this Bill. The more he considered it, the more convinced he was that the most beneficial consequences would result from it, and the highest object of his ambition was to be successful in his exertions to get it passed into a law.

Mr. *Carruthers* said, the difficulty he felt in dealing with the principle of the Bill arose from the objectionable nature of many of its various details, details which so far affected the dealings of the commercial and trading community of the country that he felt it his duty to offer a few observations on them to the House. If the Bill in the shape in which it had been introduced were suffered to pass, all parties concerned in manufactures and commerce would be seriously damaged by one portion of it—the pre-emption given to bills of exchange over book-debts. By the laws, as they stood, all the creditors of a bankrupt were entitled to an equal share in the assets of his property, but by this Bill a preference was given to one class of creditors, the holders of bills of exchange. That was one of the objections he had to it. Another objection was, that a new Court was to be created by it, into which all persons having overdue bills of exchange out against them could be driven. If the Bankrupt-laws were sufficient for all purposes connected with credit, he should have no objection to this Court; but that they were not so was perfectly well known to all who were engaged in trade or commerce. There were cases of daily occurrence which the Bankrupt-laws could not reach: and it would be found that no assets would exist in many of these, on account of the pre-emption given to bills of exchange when bankruptcy ensued. One of the great evils likely to arise from granting a pre-emption to a particular class of credit might be briefly alluded to. In the time of the late war, the merchants of this country had not alone to wait for convoys, and to take the chances of the weather, but also to send the goods they sold, through the most circuitous routes to the continental market. For instance, there were many cases, and those of common occurrence, where goods made up in this country were sent to Macedonia for the purpose of being transported over land to Frankfort on the Maine, in consequence of the ports of Germany being closed against England. Bills of exchange of course passed between the parties shipping and the parties manufacturing. In many of these cases, in consequence of the great delay arising from the causes stated, the merchants were obliged to keep their bills back until they should have advices of the arrival of their respective shipments at their destination. If such cases were to occur again, and the Bill of the hon. and learned Member for Edinburgh to be in operation, the right of pre-emption given to bills of exchange would be the cause of ruin to numbers; for it would give the holders a power to pounce upon the property of the merchant the moment his bills became due, and it would give him no power to avert his destruction. He would cite a case of recent occurrence, as quite in point with the matter at issue. In the recent extensive failures in India it was well known that several great commercial houses in town were affected, in one of which were deposits to the amount of 500,000*l.*, the property of various individuals. If the Bill of the hon. and learned Member was then in operation, the holders of any overdue bills of exchange could come in and seize possession of the sum, and leave the depositors to their secondary share of the assets. Again, he would suppose another case. A house in India sends advices to its correspondents in London that it will despatch a cargo of indigo by the next vessel; in the meanwhile it draws bills, which are accepted. Every one knew that bills of exchange travel with the wings of the wind, while cargoes, on the contrary, are ordinarily slow in coming to their destination, independent of the thousand casualties which might occur to them on their transit. The bills become due, the cargoe has not arrived. By the pre-emption given to bills in the measure before the House the holders could enter on the assets, and ruin the acceptors before they had obtained the value of their acceptance. Since the passing of the Bankrupt Laws, such was the severity of their operation in the matter of expenses, that there was scarce a great failure in London in which the solicitor and the creditor did not endeavour to compromise rather than incur the enormous costs of a Commission. In a recent case, a house in the City failed for 200,000*l.*, and it was compromised, because it was ascertained that the expenses of a Commission of Bankruptcy would amount to 10,000*l.* This was bad enough in all conscience; but if the Bill before the House passed in the shape in which it then stood it would be worse. No merchant would be able to keep out of the Bankrupt Court if pre-emption was given to bills of exchange over other kinds of credit. It would be a very grievous thing for the merchant, but a very good harvest for the lawyers. He fully agreed with the hon. and learned Member on the injurious tendency of unlimited credit; but he was free to say, that the Bill would not prevent it. With respect to the main question, imprisonment for debt, he could safely say, that he was not partial to it. He had lived up to the present day without ever having arrested any man for debt, and he hoped he should terminate his life without being compelled to have recourse to it as a remedy. But he thought the Bill of the hon. Member for Edinburgh went too far on the subject. Its effect would certainly be to drive every man owing anything into the Bankruptcy Court. As to preventing the circulation of bad bills, which the hon. Member for Bridport asserted in a former debate it would do, it would have no such effect. Accommodation bills could be concocted, even though it were in operation, with as much ease as ever, and as little chance of want of success; and the unprincipled creditor, in consequence of the pre-emption given to bills of exchange, by accepting a bill drawn by a friend, could empower that friend to come in and seize his property, by fraudulent collusion, to the prejudice of the butcher, baker, grocer, and other retail creditors, whose claims against him were merely book debts. All these things he trusted the hon. and learned Member for Edinburgh would consider; and, also, he begged of him to bear in mind, that credit was the source of all the industry of the country. If credit were injured, as the Bill in its present form had a tendency to do, the industry of the country would be seriously detrimented. It was not possible for manufacturers doing extensive business to search into all connected with their customers' credit, or to ascertain what bills of exchange of theirs were out in circulation; consequently, they should, in self-defence, be compelled to curtail their credit, and then all the evils of slackened industry would fall upon the country. If the Bill were to be passed, as it then stood, it would cramp the credit of the nation; and if a war were to ensue, and all the delays in the transmission of produce consequent on it, most of the merchants in the country, however solvent in reality, would be driven into the *Gazette* by the pre-emption given to bills of exchange.

Mr. *Bernal* said, that he was more than ever convinced by the observations of the hon. Member for Hull of the necessity of debating the Bill no farther, as all appeared to be agreed on its principle, but to refer its details to a Committee. Even the hon. Member for Knaresborough did not condemn it, and all were agreed on its humanity and moral effects. The hon. Member for Hull, and the right hon. President of the Board of Trade, held opposite opinions on the tendency of the measure. One said, it would have the effect of injuring book-debts, while the other said, that it would only endanger long credits. He confessed that he was at a loss to reconcile these opposite opinions, coming from quarters entitled to such deference. However, he was sure his hon. and learned Friend the Member for Edinburgh would listen to all suggestions on the subject, and improve his Bill by all the feasible means in his power. With respect to the presumed danger to mercantile houses, from the pre-emption given to bills of exchange, urged by his hon. Friend the Member for Hull, he would beg to inquire of that hon. Gentleman whether that presumption was not founded on assuming malice in the Bill-holders of such houses? That being the case he would beg to ask his hon. Friend, whether by the law as it now stood an equal degree of injury to an establishment could not be caused by any individual entertaining such a feeling and having the power of a large creditor over it? With respect to the assertion of his hon. Friend that the bankrupt laws caused an enormous expense he could only say that those expenses existed before the Bankrupt-laws came into operation, and therefore, that could be no argument against the foundation of the new Court proposed by the Bill, on the model of the Court of Bankruptcy. Hon. Members had talked of the curtailment of credit. Now he (Mr. Bernal) thought that those who did so were seeking out objections against the Bill which had in reality no existence. Credit was one thing and unlimited confidence was another. The latter which existed to such a ruinous extent in this overgrown metropolis, was what the Bill of his hon. and learned Friend sought to suppress, and not that healthful credit without which all trade must be at an end. As to imprisonment for debt, in itself regarded as a punishment, it was plainly in many cases quite the contrary. It had been properly said that many debtors lived within an ideal range, a fancy prison—the rules of the King's Bench or Fleet. To these imprisonment was clearly no punishment, and the law of arrest quite inefficacious. Every one knew that many of them were living in every kind of luxury, while their creditors were, perhaps, on the verge of utter ruin, or partaking of the bitterness of misfortune, arising from the transactions with them. The same could be said in an almost equal degree of the interior of those two prisons. It had been urged against the Bill that it gave protection to fraudulent debtors; but the contrary was the case. It protected creditors by giving them power over all species of property, and it protected unfortunate debtors only. When, therefore, his hon. and learned Friend was called the advocate of a spurious humanity he was called that which he was not; for he was in reality the guardian and assertor of the rights of a very large proportion of the community—rich and poor, debtor and creditor.

Mr. *Williams Wynn* fully agreed in the principle of the Bill, and regretted that he should be obliged to differ in some of its details. However, he thought the hon. and learned Member for Edinburgh had begun at the right end of the subject. He (Mr. W. Wynn) had been for many years most anxious for the success of that or a similar measure. Twenty-eight years since, he had been one of the very few who supported the late Sir Samuel Romilly in his first attempt to make real property liable to the claims of creditors, he was, therefore, glad to perceive that the object of his endeavours was now nearly accomplished. With respect to the imprisonment for debts, no one could doubt its inefficiency for all useful purposes in connexion with credit. In the earlier periods of the history of the country it was an extremely difficult and tedious operation to convert real property into money, consequently, a greater length of credit was necessary in transactions of a commercial nature, Since then, however, matters had completely changed, and no such time was required. This obviated the necessity of delay in recovery upon dealings. The altered state of the country, as well as the social improvements which had taken place in every institution, naturally forced the subject of imprisonment for debt on the Legislature. Half a century ago, taking the state of the prisons into consideration at that period, imprisonment for debt was a real and severe punishment. The condition of these receptacles of misfortune and crime had undergone such a change for the better since then, that imprisonment for debt particularly was rather a change of place than a punishment. The consequence was, that prisoners—many, if not most of them, fraudulent debtors—increased to such a degree that the Insolvent Court was created for the purpose of delivering the several gaols in the kingdom. How that worked he need not say. The right hon. Gentleman concluded by expressing a hope, that the portion of the Bill which related to the granting of certificates to debtors would be considered well in the Committee, and by declaring that he would give the principle of the measure his fullest approbation.

Mr. *Clay* said, that he did not believe that the power of imprisonment ever entered into the mind as a matter of the slightest advantage to any mercantile man of extensive dealing. The Bankrupt-laws gave to creditors of that class all the relief and advantage they sought for as against those upon whom they had claims, and the power of imprisonment therefore could extend to them no benefit. In large mercantile transactions the credit of a man must be judged of by his numerous dealings, his extensive connexions, his general intercourse with the commercial world, and these must always be the best guides to a test of his solvency. He could take upon him to assert, with the utmost confidence, that nothing was more rare than the circumstance of one merchant arresting another for debt, and he was sure that if the whole of the merchants of England were polled upon the question, but few would be found to set any value upon the power of arrest which the existing law gave them over their creditors. If the power of arrest was of any value to mercantile interests of any class it could only be so to small dealers; yet he had reason to believe, that even with this class but little value was set upon it. He had the honour of representing, perhaps, the largest mercantile constituency of all classes in the country, and not one single petition had been intrusted, or a single representation made to him from any portion of them against this Bill. On the contrary, he had every reason to believe, that it met with universal approbation amongst his constituents. As to the supposed effect that the Bill might have, to limit the credit of persons with their butchers and bakers, he had not the slightest fear that this class of tradesmen would not continue to give as much credit as they ought to give, notwithstanding the passing of this Bill. He should be glad if the measure had the effect of putting an end to the system of spurious credit that had so long prevailed, and which enabled the extortionate tradesman to exact from his customer an enormous price for the worst description of commodity. It had been said as an objection, that no other country had as yet made this experiment. If this reason were to prevail it would be equally valid against the removal of any abuse whatever. But, supposing this improvement never to have been attempted in any age or country before, he would say, let this country be the first to show the example. He, for one, as a party to such a legislative measure, was prepared to take his full share of the responsibility of having made the experiment. It would, of course, be the duty and the object of the House to render the measure as satisfactory as possible by attending closely to its details in Committee, so as to make it such as the whole mercantile interest would approve of.

Mr. *Ewart* said that, like his hon. Friend who had last spoken, he too represented a large mercantile constituency, from no portion of which had he received any instruction to offer opposition to this Bill. Convinced as he was that the measure was calculated to add to rather than diminish the security of property, he should give it his most warm support. The titles of *Doctrinaires* and Utilitarians had been applied, as if they were synonymous, to the promoters of such measures as the Bill now under consideration. But those who made use of those terms did not seem to understand their meaning. There was a wide distinction between the two. A *Doctrinaire* was a much more aristocratic character than an Utilitarian. But he would refer to the opinion of a man who was neither one nor the other—he meant Lord Eldon. That noble and learned Lord had denounced the law of arrest for debt as the worst species of slavery. In the year 1827, there were no less than 523 persons confined in one prison alone for debts, each not exceeding 30*l.* This system was unusual in any other country, and it was the astonishment of foreigners the facility with which credit was given and obtained in this country. This Bill would be a wholesome warning. It was saying "*Caveat*, creditor." If no other country had ever tried this experiment he should be proud that England, the greatest mercantile country in the world, was the first to set so beneficial an example.

Mr. *Grote* said, that the principle of this Bill seemed to him to be recommended both by policy and humanity, and he was more convinced of this by the speech of the President of the Board of Trade than by any other reasoning upon the subject. He always preferred having his own views sustained by the failure of his opponent's arguments than by the success of his own. This was the case as regarded the speech of the President of the Board of Trade. He did not think that small tradesmen would have any reason to complain when they found that they were only placed on a footing with all the other classes of the community. He should be glad if some facility were superadded for the recovery of book-debts, and he would not give any advantage to the holders of bills of exchange that he would not give to the creditors on book-debts. He felt deeply grateful, as he was sure would the country at large, to the hon. and learned Gentleman (the late Attorney-General) who had made so valuable a use of his profound and extensive learning as to apply it to the correction of an abuse so afflicting to humanity and so injurious to the general interests of the country as the law of arrest.

Mr. *Mark Phillips* said, that it was impossible for any mercantile man not to see that the existing law was totally inconsistent with the interests even of those whom it affected to protect. He could say for himself, as a mercantile man, and he believed the mercantile body generally was slow to have recourse to imprisonment, that he had never deprived a man of his liberty on account of debt. There were, however, some provisions in the Bill of last year, that he thought were not approved of, although the principle was; but there would be ample opportunity of investigating those provisions in the Committee.

Mr. *O'Connell* regretted that the Bill was not to extend to Ireland. He did not know if it might be so altered in Committee as to let Ireland have the benefit of it; but he doubted much that it could be so altered. If not, he would pledge himself to bring in a similar measure for Ireland. He regretted, for the sake of humanity, that this Bill had not passed sooner, and it would have passed had the late Government remained in office. The hon. and learned Gentleman who brought forward the Bill was the first practical Attorney-General who had ever attempted to carry out so humane and just a principle. He looked upon imprisonment for debt to be a species of torture. What security for debt was the human carcase? Speculating tradesmen charged twenty-five per cent more than the honest value of their goods to men not much greater knaves than themselves, on the calculation, that when they arrested their debtor, some friend would come forward to pay the demand. He was not disposed, however, to let the debtor escape the payment of his just debts, so long as he had one available shilling, and therefore he objected to that part of the Bill that went to grant a certificate; but this would be best disposed of in the Committee. He thanked the hon. and learned Gentleman most heartily for introducing the Bill, and he should give to it his best consideration and warmest support.

Mr. *Rolfe* supported the Bill. It was calculated to confer upon the debtor the most essential benefit, without any injury to the creditor. All experience proved that the hope of deriving any benefit in the way of payment from a person who had been once imprisoned for debt was quite hopeless. What, then, was the use of imprisoning a man for debt? It was of no use to the creditor, while it ruined the character of the debtor, and paralysed all his future efforts. The hon. Members for Hull and Manchester were mistaken as to the tendency of the Bill in one respect. The fact was, that it gave no priority of claim, no peculiar advantage, to bills of exchange over other claims. The only difference was this, that bills were a more satisfactory species of evidence. It was no more than justice that persons having this species of evidence should not be left at sea, like those creditors who were more negligent as to the evidence of debt. The right hon. Gentleman (Mr. Baring) said, they ought to look more to the evidence of tradesmen and commercial men upon a subject of this kind than of lawyers. So far as facts or habits of dealing were concerned, he admitted the justice of the observation, but no further. Not less than

300 or 400 tradesmen were examined, and their evidence proved that they were the last men in the world who ought to be consulted in legislation upon a matter of this kind. The traders upon a large scale who were consulted, said no injury could arise from taking away the power of arrest. The small dealers were of a contrary opinion; and their reason was, that when a debt was small, friends or relations might be induced to come forward to release the debtor from prison. This was a state of things that should not be allowed to exist. There was an idea prevalent out of doors, that Members of Parliament enjoyed an unfair exemption from arrest for debt. This Bill applied a remedy, and went far to set the Representatives of the people right with the public upon that point.

Mr. *Warburton* approved of the measure as founded on the great principles of justice. The principle of justice was, that the creditor had a claim upon every species of property in the possession of the debtor.

Captain *Pechell* said, the retail traders of Brighton thought their interests would not be protected by this Bill. He had a petition from them to that effect.

The Bill was read a second time, and referred to a Select Committee.

COURT OF SESSION (SCOTLAND).] The Lord Advocate moved the Order of the Day for the second reading of the Court of Session (Scotland) Bill.

Mr. *Wallace* objected to the Commission which recommended this Bill, as formed entirely of professional Gentlemen. Merchants and commercial men ought to have been included. He objected to the fees provided in the Bill. They were objectionable in every Court, and ought to be abolished. The learned Lord proposed to reduce eighteen clerks. He would submit, whether it would not be better at once to superannuate them.

Mr. *Cutlar Fergusson* said, commercial men could give no assistance whatever to the Commission on a question of this kind. Professional men alone could know whether clerks in Court might or might not be reduced without inconvenience. The learned Lord was intitled to great credit for what he had done. He was glad to see the fees diminished. They were a great grievance. He wished to know whether the effect of the Bill would be to take off the half of the former fees? He would take that opportunity of calling the attention of the learned Lord to the great defects of the Scottish conveyancing laws, which were exemplified by a late decision of the Court of Session, by which a deed in every other respect perfectly valid, had been nullified in consequence of a single figure in a date being written upon an erasure. Such a decision was likely to unsettle a vast amount of property, and great anxiety was naturally entertained upon the subject by the proprietors of land. He hoped therefore that the learned Lord would see the necessity of introducing into Parliament a Bill for explaining that particular branch of the law.

The *Lord Advocate* said, that his desire was as ardent as that of any other hon. Gentleman to afford relief to suitors by a considerable reduction of fees. His intention was to lay before the Committee, a statement of the whole case in which the present rate of fees would be set out on the one hand, and on the other, the standard to which he thought it would be proper to reduce them. In reference to the defects of the conveyancing laws he had to state that in a former Session he brought in Bills for the amendment of certain parts of the system, but although he earnestly endeavoured to get them passed into a law his exertions were not successful. He had not lost sight of the subject, and even now he was prepared to legislate upon it. But after the Government had appointed a Law Commission, whose duty it would be to report upon those defects, he thought they should wait for the opinions and recommendations of the Commissioners before they proceeded to legislate. He had written to them urging them to hasten their Report, and their reply was, that on every other subject but that of conveyancing their Report was prepared. That was a matter of considerable importance, which would require a very careful investigation, and, therefore, they could not promise an immediate completion of their Report.

Mr. *Murray* said, considerable praise was due to the learned Lord for carrying out the recommendations of the Commissioners. He agreed with him, that the subject of fees would be most fitly considered by the Committee, and also that it would be advisable to wait for the result of the inquiries which the Commissioners were then making. With regard to the decision to which his hon. and learned Friend (Mr. Fergusson) had referred he begged to ask whether he was aware that the question was still pending, and whether in such a case he would have the learned Lord to interfere in any way whatever? This much he would add, that anything written upon an erasure had always been held by the Scottish law as a valid objection, and it mainly accounted for the purity of deeds in Scotland being greater than in any other country.

Sir *John Campbell* said, he hailed with the utmost satisfaction these beneficial alterations of the Scottish law. He should esteem it a distinguished honour to be placed upon the proposed Committee.

The Bill was read a second time, and referred to a Select Committee.

IMPRISONMENT FOR DEBT (SCOTLAND).] On the Order of the Day for the second reading of the Imprisonment for Debt (Scotland) Bill being read,

Mr. *John Maxwell* suggested, that the Bill should be transmitted to Scotland before being sent up to the House of Lords. The measure had not been introduced too soon. If it had not been brought forward all the gaols in Scotland would have been filled with unfortunate debtors.

The *Lord Advocate* said, it was intended to refer the Bill also to a Select Committee.

Sir *John Campbell* suggested that the amount for which debtors were liable to imprisonment, should not be lower than 10*l.* He had rather it was 20*l.*; but he would be satisfied with the sum he had named.

Mr. *Wallace* begged to say a few words in reference to the conveyancing law of Scotland, to which allusion was made on the former question. It was a most scandalous system—a barbarous relic of antiquity. The Report of the dilatory Commissioners ought not to be waited for. As they were unpaid it was not likely they would leave their personal engagements for the sake of the public; and their Report, he was assured, would not be completed till August, when any attempt to legislate on the subject would be useless and preposterous. He had four Bills already prepared, which had cost him much labour and expense, and he saw no reason why he should not offer them to the House, either to supersede the forthcoming recommendations of the Commissioners, or to compete with the Bills which the learned Lord had intimated that he had in readiness.

The *Lord Advocate* explained that the amount had been limited to 8*l.* 6*s.* 8*d.* because for that sum there was a particular summary process, under which a great number of debtors were imprisoned. The limitation was recommended by the Commissioners, and it would effect the release of two-thirds of the debtors confined for small sums. If he had not carried the Bill the whole length of the principle it was from a wish to see the English measure first adopted by the Legislature. When that had been carried, he would have no objection to the further extension of the Bill before them. This question, however, would also be for the discussion of the Committee.

The Bill was read a second time and referred to a Select Committee.

PROTECTION OF THE FRANCHISE.] Mr. *Poulter* said, that, in rising to move for leave to bring in a Bill to protect the free exercise of the franchise, he did so with an intention to propose, that it should be referred to the consideration of a Select Committee. On the principle involved, it was necessary that the Legislature should come to some determination, and the reference of the Bill to a Committee would, he thought, be the best mode of arriving at a satisfactory conclusion on some of the points connected with the subject. The plain and simple principle he took to be this:—The Legislature had conferred upon a numerous class in the country a most important political right, and, therefore, it was incumbent on them to secure to that class the free and independent exercise of the franchise with which they were invested. The proper exercise of this franchise was essential to the interests of the nation, so it was held out when the privilege was granted—and, therefore, no means should be neglected to give to it that freedom and independence it required. To political parties, or to political opinions, he meant not to refer. His opinion was, that the greater part of those evils which afflicted the country, and had called forth such heavy complaints, proceeded not from individuals in whose power it was, to carry into execution the threats and annoyances which obstructed the free action of the voter. They proceeded not from the principals, at whose door the blame was usually laid, but from unauthorised persons, from inferior parties, from agents, who threatened and intimidated the voter without the concurrence, or even the knowledge, of the honourable persons whose names they employed. How many tenants were there who had been alarmed without the slightest knowledge or authority of their landlords, who were disposed to leave them to the free and plenary enjoyment of their political rights? How many tradesmen had been threatened by servants with the loss of their masters' custom and trade, the masters themselves being totally ignorant of such mean and petty, but not the less injurious, intimidation. The principle of his Bill he had already stated, and now he would ask, whether it was a new one which he sought to introduce into the laws of the country? That persons possessed of a legal right should be left to the free enjoyment of it was, and had ever been, the principle of the common and statute law. It was well known, that formal instruments executed by parties under *duresse* could be avoided by pleading the fact, and by the criminal law the extorted confession of a prisoner was never admitted in evidence. So scrupulous was the law on this point that he had known instances of a Judge severely reprimanding a clergyman for only stating to a prisoner that, for his own sake, and for the trust he placed in God, it would be better for him to give a true account of the facts in reference to the accusation against him. This he stated only as an illustration of the principle for which he was contending. He next came to the Statute of the 5th of George 4th., cap. 95, which yielded to workmen and artificers of every description the right of combining and co-operating for their mutual interests; but, also, made it a criminal offence on their part to use threats or intimidation to any person, which was an illustration furnished by an existing Statute of what he proposed. He felt that he was completely fortified by both departments of the law in the limited object which he had in view. That object was to render threats and intimidation, used for the purpose of biassing the mind of the voter, a misdemeanor, punishable by fine and imprisonment. Of course the amount of the punishment inflicted would be left entirely to the discretion of the Judge and Jury, and must depend on the peculiar circumstances of each individual case. It was, however, his intention to give an increasing punishment in the event of a second conviction, and to disqualify any one convicted of the offence from ever again voting for the election of a Member to serve in Parliament. The Bill, also, contained the form of an oath, analogous to the bribery oath, which an elector could be called upon by either party to take before his vote was received. He knew that many hon. Gentlemen were favourable to secret voting, and of their opinions he was bound to speak with deference and respect; but still he thought it better to endeavour, at least, to exhaust all the means within their reach to get rid of an evil so universally complained of, before they resorted to such an extremity as the introduction of the vote by ballot. The ballot, he thought would be accompanied with much evil—it would spread fraud and deception throughout the country; tend to destroy the love of truth, and that spirit of manly and open conduct, which was the peculiar characteristic of Englishmen—the ballot, he repeated, would lead to fraud and delusion. The voter would be led by it to conceal his real intentions, and to give his vote in contradiction to his word; it would let in every sort of simulation and dissimulation; and, therefore, it was that he objected to resort to it, because he by no means wished to injure the morality of the people while he secured to them that fair independence in the exercise of their political franchise to which they had so just a right. Such were the provisions of his Bill. His object was, to extend and strengthen that just moral influence which one class of society ought to possess over another; and if anything were, more than another, calculated to uproot and destroy that necessary influence, it was the use of threats and intimidation. But what was the moral influence of which he spoke? It was that feeling which was produced in the mind of the humbler classes by the kindness they received from those upon whom they were in some measure dependent; those who were anxious for their prosperity, and watched over their happiness and comfort, while they at the same time provided for them the means of a moral and religious education. It mattered very little whether such persons as he described were absent or present during an election. The effect of their influence would be precisely the same in either case, as their sentiments would be studied by their tenants and neighbours, who, knowing and feeling that they were both honest and good, would gladly and willingly adopt them. This was the species of influence which he wished to extend and establish to the exclusion of every other; this was the influence which subdued the affections and established its empire over the hearts of men, and none but the wicked would wish to see it destroyed. With these few observations, and in this spirit, he would conclude, and, without occupying the time of the House longer, move for leave to bring in a Bill to protect the free exercise of the political franchise in the United Kingdom of Great Britain and Ireland.

Mr. *Fox Maule* said, that at that late hour, and as a Committee was sitting up stairs to whom the consideration of this subject properly belonged, it was not his intention to say more than a very few words on the present occasion. He rose to second the Motion of his hon. Friend; and as he had, since the passing of the Reform Bill, been conversant with elections, he could from experience assert, that nothing hindered the free exercise of the right of voters so much as threats and that species of intimidation which was commonly resorted to. He did not apprehend that any objection would be made to the introduction of this measure, inasmuch as the evil which it proposed to remedy was one which became the subject of animadversion on the part of the losers, for the unsuccessful party alone always complained of the bad conduct of the winners in elections. All in turn, equally cried out against the practice, and, therefore, all must agree in wishing a system removed which was generally condemned. But without going further into the subject he would say, that he gladly seconded the Motion, especially as the Bill was not to be proceeded with at once, but referred to the Committee now sitting up stairs. Should, however, that Committee protract their decision beyond a reasonable time he hoped his hon. Friend would be ready to press his Bill forward.

Dr. *Bowring* said, that as he was willing any experiment should be made which was likely to enable voters to record their votes conscientiously, he should vote for the introduction of this Bill, although he was convinced that it would be at last found that the simple and at the same time the best law for such a purpose was the ballot. The ballot was the only means by which that moral influence of which the hon. Member had spoken could be either appealed to, or brought to bear, as it was on all hands admitted that there would be almost insurmountable difficulties in bringing a case of intimidation home to the party who had used it. Indeed this was illustrated by the late election for Blackburne, and it was his intention to call the attention of the House on some future occasion to the mode of canvassing and personal visits of the hon. Member for that borough to the voters, as well as to the applications made and the letters written to them on his behalf. He would not have said this if the hon. Gentleman who brought forward this Bill had not laid the whole weight of the charge of intimidation at the door, not of the principals, but of inferior agents. The fact was not so, and he could bear testimony to the misery which the exercise of independence not unfrequently produced upon persons in the humbler ranks of life. When some of the poorer classes of voters were taunted for not following the dictates of their own consciences, what was their remark? Why that, as it was a matter in which their whole worldly interests were involved, they hoped they would be forgiven and allowed to go wrong. Hon. Members might rest assured that secret voting was the only means by which the system of intimidation could be got rid of, and this was exemplified by the experience of foreign countries, where the ballot was in operation. He had seen it applied to large as well as to small constituencies, and he could therefore, without the fear of contradiction, assert that in all cases it was entirely successful, and protected honesty while it put down oppression. It was his firm conviction, that the ballot must be adopted in this country.

Mr. *Scarlett* differed altogether from the sentiments expressed by the hon. Gentleman who had just sat down, because he was convinced that the ballot—secret voting—was not only unmanly, but unworthy of the character of Englishmen. The hon. Gentleman had thought fit to allude to the conduct of the hon. Member for Blackburne, but surely the hon. Gentleman should take the beam out of his own eye before he plucked the mote out of another's. The conduct of the hon. Gentleman himself was not quite so spotless as he would have the House believe. If the hon. Member complained of his hon. Friend, all he could say was that his hon. Friend complained of the hon. Member, so that in fact there were complaints on both sides. Before, however, he gave his assent to the introduction of this Bill, he wished to put a question to his hon. Friend, and that was, whether it referred to Ireland as well as to England, and if it included religious intimidation as well as intimidation of all other descriptions?

Mr. *Poulter* said, that the Bill embraced the whole of the United Kingdom, and included as well religious as every other species of intimidation.

Mr. *O'Connell* said, that the hon. Gentleman the Member for Norwich seemed very anxious about religious intimidation, and he must say, that such an anxiety well became the Representative of one of the immaculate corporate boroughs of England, every feeling of the electors of which was overcome by pounds, shillings, and pence. Oh, but the hon. Gentleman came from Norwich, where so much independence prevailed! No voter belonging to that borough was ever known to take a bribe, and it would, indeed, be as well for their Representative if no bribe was to be given. But the hon. Gentleman said, that the ballot was unmanly; that it was un-English. Now, was this the case? Was it not a common practice for the Committee of one candidate for an English borough to go to the voter and say to him, "Oh, our opponent gives only 3*l.*, but we give 3*l.* 10*s.*," and when the voter gave the preference to the larger sum, was he acting an unmanly part? The ballot, however, would take away all this corruption, and leave the people to the free exercise of their own judgment. That was certain. It was, no doubt, perfectly true, that before the Reform Act was the law, the great majority of the House of Commons was nominated by the hereditary aristocracy of the country, but that was not the case since that measure had passed. The change, however, was not much for the better, for now, instead of being returned by the hereditary aristocracy, the majority of the Members of that House were nominated by the money aristocracy—by far the worst aristocracy that could exist—aided by the power of the Crown. The Reform Bill had thrown the oligarchy of the hereditary aristocracy out of power, and now the influence of money exercised by that body was placed in much worse hands. It became the Members of that House to sustain the present motion. The Bill certainly did not go far enough, so far as he should wish; but although it did not go the length of secret voting, it still went one step towards rendering intimidation criminal, and as that would relieve those to whom such means of procuring votes was usually attributed, he trusted that the House would allow it to be brought in.

Mr. *Fector* said that, representing as he did one of those boroughs to which the hon. and learned Member for Dublin alluded, representing a popular constituency of freemen, he could not sit quietly by and hear them abused in the manner they had been by that hon. and learned Member without standing forward in their vindication. Although his constituency were not so numerous as that of the hon. and learned Gentleman, he was prepared to affirm that his constituents were, at all events, as respectable, if not more so, than those of the hon. Member; and all he could say was, that he should have been ashamed to owe his position in that House to such arts and means as those by which it was alleged some hon. and learned Member on the opposite benches had procured the seats which they now occupied. He owed his return to no intimidation; no threats had ever been used towards any elector who had voted against him; and he repeated, that if either he, or the party by whom he was supported, had resorted to such unworthy means, he would scorn to occupy a seat in that House. He was prepared to maintain, that the ballot was not the way in which Englishmen would wish to exercise their political privileges. Secret voting, he asserted, was not only un-English, but would afford protection to none but the skulking coward, who blushed for his own weakness. If a man promised to give him a vote, and because his violation of faith was screened by the ballot he broke his word, and voted against him, what could such conduct be called but moral delinquency? But would that House he should like to know, give such conduct encouragement? He hoped not, because he thought that the independent exercise of the elective franchise required no such means as secret voting to ensure it. He begged the House to accept his apology for thus occupying their attention; but representing, as he did, a respectable and numerous body of freemen, he could not hear them slandered without standing forth, however inadequate he was to the performance of the task, as their champion and vindicator.

Mr. *Ewart* said, that the ballot was not the question which they had now to deal with; but he could not help remarking, that whenever any mention was made of it, some peculiar sophistry, which he termed subterfuge, was resorted to for want of better reasons to negative its necessity. When the hon. Member for Norwich spoke of religious intimidation, he (Mr. Ewart) thought he alluded to a petition which had that day been presented to the House, complaining of the influence used by certain clergymen in this country at the Canterbury election. It was evident that Ireland was not the only place in which religious intimidation was resorted to. What he hoped was, that such an interference, whether by clergy or laity, would speedily be restrained.

Mr. *Arthur Trevor* said, that the interference of clergymen in election matters seemed to occasion dissatisfaction in the minds of many hon. gentlemen; but, for his part he did not understand, why clergymen as well as other persons should not be at liberty to exercise the legitimate influence which they possessed. [*Cheers from the Opposition*] The hon. Members opposite cheered; but he was ready to repeat that the clergy had as much right as any other body to use on such occasions the influence they had acquired. Could it be said, that they had attempted that which was illegal, or that their conduct bore any resemblance to that of the Roman Catholic Priests? ["*Hear, hear!*"] Ay, he would repeat, Roman Catholic Priests. He must protest against the odium which was endeavoured to be cast upon the clergy of England, because they exercised the influence which they possessed; but, although he said this, he would defy any one to prove that in a single instance a Protestant clergyman had used any thing like intimidation. He could not sit down without expressing his thanks to the hon. Member for Dover, for the able manner in which he had repelled the unjustifiable imputation cast by the hon. and learned Member for Dublin on certain bodies of electors in this country; and he would put it to the House, whether that hon. and learned Member was warranted in vituperating English freemen in the way he had done? He could tell the hon. and learned Member for Dublin that he (Mr. Trevor) was also the Representative of a constituency consisting principally of freemen—and that he should think himself undeserving of the confidence they had reposed in him, and unfit to represent their interests in that House, if he had allowed such observations to pass without replying to them. In every point of view the conduct of the hon. and learned Member for Dublin was unjust, and surely before he cast imputations abroad it behoved him to look a little at home. Was the constituency to whom he owed his return above all imputation? Was the electoral body of Ireland pure and immaculate, or could it be said that the 40*s*. freeholders were so when it was notorious that they acted under the immediate influence of the Roman Catholic Priests? It was, no doubt, a very easy matter to cast imputations; but he must say, that the constituency he represented had never disgraced themselves nor dishonoured the privileges intrusted to them.

Mr. *Goulburn* deprecated such a discussion, and was of opinion, that Gentlemen would better consult the interests of the country by endeavouring to avoid them. For his part he approved of the Bill, and would endeavour to give every assistance in his power to prevent intimidation at elections.

Leave was granted.

LIBEL.] Mr. *O'Connell* stated, that as the subject of which he had given notice was one of no small interest and importance, he should not have proposed to bring it forward at that late hour of the night, if he had not obtained the assent of the hon. and learned Gentlemen who were in the confidence of the Crown. His object was to obtain leave to bring in a Bill to amend the Law of Libel. If he could so far obtain the consent of the House, his intention was to appoint a day at some fortnight's distance—a day that should be most convenient to the hon. and learned Gentlemen the Law Officers of the Crown—for the second reading; after which he should propose to refer the Bill to a Select Committee up-stairs, who should have power to report generally upon the Law of Libel. Such was the course he proposed to pursue. In the absence of the hon. and learned Gentlemen, the Attorney and Solicitor Generals, he did not intend to enter at any length into the subject. He merely wished to initiate the Bill in such a way as not to prevent its being ultimately prosecuted under the sanction and responsibility of the Law Officers of the Crown, leaving to them full power to oppose any of the details that they should deem objectionable. With that view, he should upon that occasion simply move for leave to bring in the Bill; but in so doing, he would humbly submit to the House, that if there were any one proposition upon which all legal men—no matter what their political opinions—were agreed, it was this—that the Law of Libel was at the present moment in a most unsatisfactory state. No law, in fact, could be more anomalous. There were three different modes of proceeding against a libeller. First, by action for damages. The law in that case was, that if the words spoken or published, no matter how malicious or vindictive the motive in speaking or publishing them, were proved to be true, it was a perfect defence to the libeller, and the plaintiff was not only deprived of any compensation but was subjected to all the costs of the action. That was a gross defect. Upon the other hand, in an action of libel for damages, if the truth were not proved precisely according to the terms contained in the allegation, however innocently the words complained of might have been intended, all that the Jury could do was to give small and mitigated damages, but those damages were aggravated to an enormous extent by the amount of the costs. It was true, that in England the Judge had the power, under particular circumstances, of certifying, so as to prevent the carrying of costs; but in Ireland that power did not exist at all, and in England it was very rarely exercised. Frequent instances occurred of men bringing actions for libel upon the mere speculation of obtaining sixpence or a shilling damages, knowing that a verdict in their favour, of however small an amount, would insure to them the whole of the costs, which in many cases amounted to 200*l.*, 300*l.*, and even to 500*l.* That was a most unsatisfactory state of the law. Independent of actions for damages, there were two modes of criminally proceeding for libel, which were equally anomalous. First, there was the mode of proceeding by information before the Court of King's Bench. But no man could apply for a criminal information in that Court unless he could deny the imputation of guilt contained in the alleged libel; and if the party publishing, could show by affidavit, that the alleged libel was substantially true, the proceeding failed, and the prosecution could not be carried ont But if a party took a third course, every word of the libel being perfectly true, every tittle of it really merited, he need not proceed by action—need not proceed by criminal information, but he might go and lay an indictment before a Grand Jury. There the truth was not inquired into. The indictment was carried from the Grand Jury to a Petty Jury. There the truth was not listened to, and conviction followed. That, again, was a state of the law which surely ought not to exist. But in introducing a specific measure upon the subject, he would, above all things, impress this upon the House—that they had been told over and over again by the Judges, that upon this subject there was no Statute-law. No doubt that was the fact. Publication was not known until the period had arrived at which all our Common-law was framed—it was not known until after the art of printing had been discovered and brought into use. It happened, too, that none of our Courts were regulated by what was termed Statute-law. Then the Judges told them, that it was for the Jury to determine, whether the alleged libel were maliciously intended; but as the law at present stood, it took from the Jury the test best calculated to exhibit the intention, namely, the truth. Surely a better criterion could not in most cases be had for judging whether a publication were innocently or maliciously intended, than the proof of whether it was true or not. He knew that it was not an infallible criterion, but it was, at least, as good a one as could be obtained. He did not intend on that occasion to go further into detail. He thought he had stated enough to show that the Law Officers of the Crown, in not opposing the introduction of a Bill upon the subject, were in no way guilty of a dereliction of duty. The House would feel more immediately aware of that fact when he added, that he knew it to be the intention of several hon. and learned Gentleman to watch the entire progress of the Bill, and to endeavour, to the utmost of their power, to make it satisfactory to all sides of the House. The hon. and learned Gentleman concluded by moving for leave to bring in a Bill to amend the Law of Libel.

Mr. Secretary *Goulburn* regretted that a Bill of so much interest and importance had not been more fully detailed. He did not intend to oppose its introduction; but at the same time, he trusted the hon. and learned Gentleman would understand that the Government, by abstaining from any opposition at the present moment, did not intend to hold itself pledged to any of the principles or details of the measure not one of which had as yet been explained.

Leave was given.

HOUSE OF LORDS,

Thursday, March 19, 1835.

Minutes.] Bills. Read a third time:—Transfer of Aids Exchequer Bills; Newspaper Printers' Relief.

Lower Canada.] Lord *Brougham*, in pursuance of the notice he had given, begged leave to present to their Lordships a Petition from Members of the Assembly and others in Canada. As the petition was one not only of great importance in itself, but as it referred to a great number of peculiar circumstances, and as the petitioners were all men of great respectability, he hoped he should be excused if he went into a short statement of what its contents were, and who were the parties who had signed it. The petitioners were a considerable majority of the Representatives of Lower Canada in the House of Assembly of that province; and also a number, a minority, but still a number of the Members of the Legislative Council or Upper House of Canada. A large majority of one House and a minority of the other agreed in the complaints in the statements and in the prayer of this petition. The state of the province of Lower Canada was so well known that it would be superfluous for him to remind their Lordships that it had long been anything but satisfactory. For years past it had presented a lamentable picture of discontent, he would not say of mal-administration, but of such an administration as did not meet with the approbation of the people. He need not say, that there could not be a greater evil than that the people should disapprove of the Ministers who governed them, or of the measures that they introduced. Yet that was the state of this colony. Of course, he hoped that it would not be the case with the mother country. Lower Canada was a residue of those great American possessions that once belonged to us, and it was remarkable for having among its inhabitants great numbers of what were called Loyalists, that is to say men who entertained a devoted affection to the mother country, and that affection was in itself a great title to our consideration. This province now possessed a House of Assembly, which, after a recent appeal to the people, had returned a majority of seventy-eight to ten, the House of Assembly containing eighty-eight Members opposed to the Government. To these must be added eight or nine Members of the Legislative Council, or Upper House of Legislature. The first ground of the complaint of the petitioners was against the construction of the Upper House of Legislature. The Representatives in the Lower House of Assembly were chosen by the people. The Upper House of Assembly was nominally chosen by the people; but it was so managed, that it had principally got into the hands of a certain number of persons, so that they re-elected themselves; and the consequence was, that there was great danger of what was well known on this side of the water by the name of a collision, between the two Houses. This was attended with a most unfortunate circumstance. He did not blame any one,—he merely stated the fact, which was, that numberless Bills were sent up from the Lower House, and were rejected by the Upper House. Now, these Bills were such as deeply affected the feelings and interests of the people of the province, who were represented in the Lower House, and not represented in the Upper House. On one occasion, no less than twenty-eight Bills had been thus rejected; fourteen rejected altogether; and the rest so altered—mutilated, the petitioners called it—that the Lower House could not consent to adopt the alterations, and they therefore were rejected altogether. That occurred in 1827; but, more or less, this had been the case for every year for some years past. In one year, indeed, in consequence of these disputes, there was no Session at all. In the space of the last ten years, 167 Bills had been thus positively rejected by the Upper House, or so altered as to cause their rejection by the Lower House when sent back to it. Some of these Bills had for their object (he could not say anything of the details) matters of the most wholesome and necessary kind. He should state some of them. One was a Bill to obtain better security from the receivers'-general. One of these receivers had been a defaulter for 600,000 dollars; but instead of suffering for his default as he ought, he was made a Member of the Legislative Council, or Upper House; so that he operated doubly, first, as a defaulter himself, and next, as a Member of the Council, in rejecting a Bill that was to provide against the recurrence of such defaults in others. This receiver-general had also possessed a large property which was nominally taken from him for the benefit of the state; but it was understood that he was in flourishing circumstances, and really had the enjoyment of the property at a very low rent. Another of the Bills was to secure the vacating of the seats of Members of the House of Assembly on their accepting office. Another, to prevent the improper interference of troops at elections. Then there were Bills for promoting the education of the people in the colonies; and a Bill—(in which, to be sure, the Legislative Council had the example of their Lordships to justify them in its rejection; though he was not prepared to say that the rejection was the more proper on that account)—a Bill for establishing Local Courts. Another of these Bills was a Bill for better securing the independence of the Judges. The independence of the Judges in the colonies must, he was aware, rest on a footing different from that in the mother country. He should belie the opinions he had always declared, if he did not say that that independence might require, in some degree, to be modified, though he must insist, that whatever it was, it ought to be clearly secured. He hoped that this would be one of the objects to which the attention of the Commissioner now about to visit Canada would be directed. The independence of the Judges in the province was anything but secured. One of the Judges held two or three offices, and he could not say that he approved of a Chief Justice, who was a criminal as well as a civil Judge, being Speaker at the same time of one of the Houses of Legislature. To be sure, that was the case with the Speaker of their Lordships' House, but then that noble and learned Lord was only a civil and not a criminal Judge. This, as he had said before, was a petition from a majority, and a great majority of one House, and a minority of the other; and it was, therefore, on account of the persons from whom it came a most important petition; for this majority in the Lower House of the Constitution, the same as in England, would have the right to impeach the Judges. The Judges had rendered themselves odious by the part they had taken in political controversies, and by the strong terms in which they stigmatized the laws which it was their duty to administer. The petitioners complained of the violation of the Acts of 1788 and 1832, Acts which were framed for the purpose of giving the House of Assembly a control over the funds of the province. He could not say anything about the matter beyond observing that the petitioners spoke of things of which, from their very situation, they ought to have peculiar knowledge. The charges he had already stated, were now, for the first time, formally made, but the control over the funds of the province had been long a subject of dispute. The feelings of the House of Assembly might well be known. They chose a Speaker in a most horrible manner—in a manner utterly unprecedented—they did not patronise the person named by the Government—no such thing—they sent up a Speaker of their own. Whether they agreed to amendments to addresses to the Governor he could hardly say; he believed that they hardly agreed to any address, or if they did, it was one in opposition to the Government. Such was the state of things in Canada. It was to be profoundly hoped that the example would not cross the water. There certainly were no addresses of common civility agreed to. There was one great intestine war that prevented the progress of public business, and interfered with the advantage of the common weal. The petitioners next complaint was, that the Governor had seized upon the revenues of the province, a practice that certainly was not in use on this side of the water. Notwithstanding that the Governor had seized upon the revenues, he had refused to lend them his aid at a most painful period. When the cholera raged in the province, so that 1,300 persons died in Montreal, and

1,000 in another place, application was made to the Governor for assistance, but he refused to advance any money whatever. Perhaps, the Governor was afraid that if he advanced the money he should not get repaid; but the petitioners declared that they should have been but too happy to have repaid him. Another complaint of the petitioners related to the killing of some persons by the troops in 1832, at the election. They complained that with great haste the Governor had tendered a vote of thanks to the troops for their conduct. The Governor, for aught he knew, might be right in what he had done; the troops might have been obliged to fire on the people in their own defence; he could not say anything about it, as he did not know all the facts; but it appeared from this petition that the House of Assembly differed from the Governor on this point, and they complained of the vote of thanks that had been given to the troops. Another complaint against the Governor, was, that he had refused to issue a writ upon a vacancy in the Lower House of Assembly, whose number was thus left imperfect. They complained, also, that the Governor had refused to offer a reward for the discovery of a person who had committed a murder. These were the charges that the petitioners made against the Governor. He gave them, as he received them, and was in no wise responsible for their correctness. Some of them might not be capable of being well made out, and might be capable of being answered by statements of a different sort. There was no doubt that there were important differences between the House of Assembly and the Governor, and the former desired their Lordships to apply such a remedy as in their wisdom they should deem sufficient. That which they wanted was an alteration of the constitution; so as to give them a better security for possessing a control over the administration of the finances, for the preservation of their privileges, and for the promotion of the general interests of the province, by the reform of the Upper House of Legislature. This petition, signed as it was by a majority of the House of Assembly, must be supposed to speak the sentiments of the majority of the people, for if it did not, he should say that they wanted something like Parliamentary Reform; if there were any close boroughs in the province the sooner their Lordships exported thither the benefit of schedule A the better. As things now stood it was impossible to go on. The greatest possible discontent existed, and if the mischief was not stopped by some appropriate remedy, evils of a very serious nature would occur, and at no great distance of time. His opinion with respect to these establishments differed, perhaps, from that of many noble Lords in that House, and most of all, perhaps, from the noble Earl opposite. His opinion was, that we ought not to keep these colonial establishments, expending large sums of money upon them, and embarrassing ourselves with their affairs, unless we could contrive that the Government of them should go on smoothly and to the satisfaction of the colonists; and, above all, unless we could so manage them that they could pay not only the expenses required for their own establishments, but also a large proportion of the military and naval expenses entailed upon us in defending them.

The Earl of *Ripon* begged pardon of the noble Earl (the Earl of Aberdeen, who had also risen) for interposing at this moment, but he was obliged to do so in his own defence. He had not the smallest idea that this petition was about to be presented, so that he not only had had no opportunity of recalling to his recollection the circumstances connected with the statements contained in it, but he was not in the House when the noble and learned Lord began to make the statement of its contents. He was unaware of the complaints being about to be made; but he must say, that he was surprised with the sweeping censure which the noble and learned Lord had cast upon the Colonial Department while it was under his directions.—[Lord *Brougham* had cast no censure upon the noble Earl.]—It was true his name was not mentioned, but if the noble and learned Lord knew as much as he did, he would not have passed so severe a censure on the conduct of the Colonial Office while he (the Earl of Ripon) was a colleague of the noble and learned Lord. This petition, he presumed, embodied the set of resolutions, ninety-two in number, which in the course of the last year had been agreed to by the Assembly of Lower Canada. Anything more violent, more unjust, more contrary to truth, never had been affirmed by any legislative body whatever. What took place in the House of Commons when the question of these ninety-two grievances was discussed? The matter was referred to a Select Committee, which his right hon. Friend, then at the head of the Colonial Department, had proposed. That Committee had entered fully into the consideration of everything like a grievance complained of by those who presented this petition. Every fact was considered. No part of the conduct of the Government of the various Secretaries of State for the Colonies was omitted, nor was any information that they could give attempted to be withheld. That Committee did not think itself justified (there were, no doubt, good reasons for that opinion) in publishing the evidence on the subject; and, therefore, it was a little unreasonable to expect that those charges which were then so fully investigated, should be now answered off-hand, when, from not knowing facts, it was impossible to know how many of them had been rebutted before the Committee, and so required no further repetition. He did not, therefore, think that he was called on to go through the items of this account of grievances, and to vindicate himself against the charges contained in this petition. He would venture, however, to say, that there was not a single matter complained of in this petition, which he did not endeavour to send out instructions to remedy. It was not the fault of the Government, nor was it the fault of the Governor, nor even of the Legislative Council, if what he desired had not been successfully carried into effect. If their Lordships were to go into the question, he should be able to show them that every difficulty in the way of settling these differences, had arisen from the unjust conduct of that body whose petition the noble and learned Lord now presented, and to which he seemed, from his manner of discussing it, to give his concurrence. A great complaint, in which he fully agreed, had been made on the subject of the independence of the Judges, as if that matter had not been touched by the Government—as if he (the Earl of Ripon) had not sent instructions to the Governor to send a message down to the House of Assembly on the subject. There were two sorts of independence of the Judges—an independence of the Crown, and an independence of a popular assembly. His object had been to render the Judges in Canada independent of both. It was true that the House of Assembly had passed a Bill to secure the independence of the Judges, but the House added to it a tack which it was well known would not be agreed to by the Legislative Council, and could not be assented to by the Governor. The tack declared, that the payment of the salaries of the Judges, was not to be made, except from funds belonging to the Crown, over which they had no legitimate control. He did not recollect whether this Bill had had the provisional sanction of the Governor; but this he did distinctly state, that if the Governor refused his assent, he (the Earl of Ripon) conveyed to the Governor his Majesty's approbation for that refusal; or if the Governor gave his provisional assent, then he (the Earl of Ripon) advised his Majesty to refuse the Royal assent.—[Lord *Brougham*: The Petition stated that the Bill was thrown out by the Legislative Council.]—The Legislative Council might have been the instrument for throwing out the Bill, but it was refused for the reason he had stated. There was no part of the duty of a Secretary of State for the Colonies to which more attention was requisite to be given—and the demand for attention in this respect was increasing from day to day—than to the state of the Canadas. He should not now go into the items of this petition; but should assert, without fear of contradiction, that there was nothing more unjust than the charges, of the introduction of which at the present moment, he had taken the liberty to complain.

Lord *Brougham* had read the petition, and he could not discover the slightest allusion to his noble Friend in it. The charges were directed against the system of Government in the colonies, not against the Government at home. It was his duty to present the petition; but when he did so, he told their Lordships that he knew nothing of the statements but what he saw there, and that, for ought he knew, they might be all untrue, or all exaggerated. These were the statements of the petitioners; he had not pledged his personal credit to the truth of the statements.

The Earl of *Ripon* knew that his name was not mentioned; but the petition alluded to a series of transactions in which he was, as Secretary of State for the Colonies, officially concerned. As to the matter of the elections, if there was any blame on that point he bore his fair share of the responsibility, for he held the Seals of the Colonial Office at the time. When he considered all the facts that were laid before the inquests, he felt that there was no blame to be imputed to the soldiers, and therefore, he did convey his Majesty's approbation of the way in which the troops had acted, and nothing had since occurred to make him see any reason to blame the conduct of those who took part in those transactions.

Lord *Brougham* had said, on that particular transaction, that for ought he knew the soldiers might have had a painful duty to perform, might have been compelled to fire in their own defence, and that the Governor might have done right in approving of their conduct.

The Earl of *Aberdeen* could not suffer this petition to be laid on the Table without addressing a very few words to their Lordships, and but a few words they should be; for it would be most unwise and unjust in him, considering the circumstances that had occurred last night, to go into the subject matter of this petition, and to follow the noble and learned Lord into the different parts of this question which he had brought under discussion. He was ready to admit that this province was not without some just grounds of complaint, but he must say, that for several years past there had been the most earnest desire on the part of the Government of the mother country to meet and remedy all these grievances. During the Session of Parliament last year ninety-two resolutions on the subject had been forwarded from Canada, and were presented to the notice of the other House of Parliament. The present petion was now brought forward, and if instead of ninety there were 900 grounds of complaint stated, he should be willing to meet them all with the same spirit of a desire to listen to, and remedy them, and not only with that spirit but with wishes of justice, conciliation, and kindness toward the colonist; and if they had omitted any one complaint which struck his mind, he should be happy to suggest it to their notice, and to adopt some remedy for it. It was impossible that this subject could be entered upon with feelings more cordially disposed to meet every just matter of complaint. The noble and learned Lord opposite had taken a most extraordinary course. The petition he had presented was not a petition that had the least reference to the greater portion of the subjects to which he had called the attention of their Lordships, nor were the grounds of complaint in the petition directed against the noble Earl who had just spoken; they were directed against the noble and learned Lord and his colleagues, and against them alone. The petition arose in consequence of what had been done since July last. It was framed in December last, when the petitioners imagined that the noble and learned Lord still sat upon that Woolsack. He did not know whether the petitioners meant to make the noble and learned Lord as Lord Chancellor, the vehicle of communicating this petition to their Lordships, but he must say that he believed, that had the petition still found the noble and learned Lord on the Woolsack, though it would have been his duty to present the petition, their Lordships would not have heard of it accompanied with these complaints. The whole of the grievances contained in the ninety-two resolutions did not form the subject of the present petition, the complaint in which was, that no practical measure of relief had been founded on those resolutions. That was a matter of complaint against the noble and learned Lord and his colleagues, and it was precisely of that, that the petitioners did now complain. With the exception of praying for an alteration in the constitution of the Legislative Council, there was scarely one other subject of complaint in the petition that could apply to any but the noble and learned Lord and his colleagues. The petitioners then complained of the continuance of Lord Aylmer in the office of Governor. The Governor was continued by the noble and learned Lord and his colleagues—he did not say improperly continued, but the continuance itself was the subject of complaint with the petitioners. They complained of the existence of the British North American Land Company—a Company that was established under the Government of the noble and learned Baron and his colleagues, if not with their approbation. Then it was said that the petitioners complained of the Government seizing on the revenues of the colony: now, how had that happened? The conduct of the Assembly itself had deprived the Government of the means of carrying on the necessary acts of Government. It was impossible to carry on the Government. No person employed in it had received one single shilling on account of his appointment for a considerable time. It therefore, became necessary for the Government to provide for the means of paying the current expenses of the Government. The Governor was directed by the noble and learned Baron and his colleagues to seize upon the revenues and apply them to the actual necessities of the State. He did not blame their decision. It was certainly a very strong step, and a great interference no doubt with the constitution in that country, as it would be in this. Another noble and learned Lord had insinuated that one day or other the time might arrive when a similar course of proceeding would be adopted here. He repeated it was a very strong step; whether it was or was not justified he would not undertake to say, but in either case it certainly was taken by the Government of this country. Well, then, were these complaints—were these grievances which the noble and learned Lord had a right to put forward as a matter of charge? Why, if they were grievances at all, they were grievances of which he himself had been the cause; and he (the Earl of Aberdeen) must say, that if the noble and learned Lord had bestowed that degree of attention on the petition which he should have thought it had deserved, it would have been quite impossible for him to have enumerated among the grievances complained of, those acts of which he himself had been guilty. He only made this observation with the view of calling their Lordships' attention to the course which the noble and learned Lord had thought proper to pursue. It had nothing to do with the great body of grievances of which the petitioners complained, to which he had already referred, and into the nature of which he would not enter at any greater length, as it might be most injurious to the satisfactory termination of the questions at issue. There was no doubt, that if the noble and learned Lord did choose to make himself in that House the organ of the petitioners, he might either promote or retard, very essentially, the settlement of those questions. Whatever might be that noble and learned Lord's course, he felt it must be his duty in that place, not to say anything which could possibly prejudice the success of that most important, most difficult, and most delicate undertaking to succeed in which—from the confession of the noble and learned Lord himself, and the description he had given of the state of the colony—the Government had no slight obstacles to surmount.

Lord *Brougham* did not take the slightest degree of blame to himself for not examining the petition, for one plain reason—because he had examined it, and examined the whole of it. He had found certain charges brought against the Governor of the Colony, and no charges whatever against the Government at home, with the exception of the single one of not having sufficiently examined into their case. He knew very well the whole of that charge three weeks ago, and he stated yesterday the answer to it. The answer to the charge against the late Government, on his part, was, that they had done all that men could do, up to the very instant of the Government being dismissed. The answer of the noble Lord opposite, on his part, was, that on his taking the Seals of the Colonial Department, he applied his mind to the redress of the grievances complained of. With respect to the charge of interference of troops at the election of May, 1832, he begged to say, that he had stated the only charge made in the petition against Lord Aylmer, the Governor, and he begged to add his own statement, that he took the charge on the credit of the petitioners and stated their case. The noble Earl had told them that it turned out that the charges were made, not against the present Government, but the last, and that he (Lord Brougham) had brought those charges forward. This was not the case: there was no charge whatever against the late Government. The petition did not point at them, it pointed at the Governor, in one passage especially, in which very strong language was used, and which he (Lord Brougham) had purposely suppressed. He had guarded himself twice over, both in prefacing the charge against the Governor, and finishing it, against it being supposed that he guaranteed the authenticity of the statements in the petition. In both instances, he specifically said, that he took those statements on the credit of the petitioners, as well in other respects as with reference to the revenue charge, of which he knew nothing. He stated particularly and emphatically that he took those charges from them—that they might be right, or that the Governor might be perfectly justified—that he hoped he was—but that, however the fact might be, he repeated merely the statement of the petitioners, and the statement of the petitioners alone.

The petition to lie upon the Table.

HOUSE OF COMMONS,

Thursday, March 19, 1835.

Minutes.] Petitions presented. By Sir George Strickland, Mr. Carruthers, and Mr. Mangles, from three Places,—against the Duty on Spirit Licences.—By Sir Philip Durham, from Speymouth, for Support to the Church of Scotland.—By Dr. Bowring, from the Hand-loom Weavers of Scotland, and by Sir Michael Shaw Stewart, from two Places,—for Relief.—By Sir Samuel Whalley, from Marylebone, for the Repeal of the Window Tax.—By Mr. Ormsby Gore, from certain Landed Proprietors, against the Great Western Railway.

Chatham Election.] Mr. *Hodges* rose, pursuant to notice, to present a Petition from numerous Electors and other Inhabitants of the Borough of Chatham, complaining, that, in consequence of the votes which many of them gave at the last election, the Commanding Officer of the Marine Barracks had thought proper to interfere in a manner wholly unprecedented, and, as the petitioners alleged most unjustly, with the freedom of trade in that place. He was sure it was unnecessary to call the serious attention of the House to a subject of such grave importance, affecting so deeply its rights and privileges, and the due freedom of election, as that to which the petition referred. It was signed by 330 electors and inhabitants of Chatham, and it complained of the line of conduct adopted by the Commandant of the Marine Barracks there, in consequence of the proceedings that had taken place at the late election for that town. The petitioners stated, that for many years—indeed from time immemorial—the tradesmen and other inhabitants of Chatham had been in the habit of transacting business in the Marine Barracks, for which purpose they had been admitted without let or hindrance there, until the 19th of January last; that on the 7th and 8th of that month the election for Chatham had taken place, on which occasion a large proportion of the slopsellers and pawnbrokers resident in the borough had voted for Captain Byng, the candidate opposed to the Government, and successful candidate, Sir John Beresford; that on the 19th of January, to the surprise of the petitioners, an order was affixed to the door of the Marine Barracks, signed "H. James," ordering that no pawnbrokers or slopsellers should in future be admitted to the barracks, without a special order from the Commandant. The petitioners proceeded to state, that though this order had been issued without any charge of misconduct having been preferred or established against the said class of tradesmen, they would not have complained of it, if it had been enforced fairly and impartially, but that two or three slopsellers and pawnbrokers, who had voted for Admiral Beresford, had been admitted to the barracks, while the others had been excluded; that, in fact, the whole of that set of tradespeople who had voted for Admiral Byng, had been refused orders of admission from the Commandant: that they (the petitioners) considered such an order, so enforced, arbitrary and unjust, originating in party and political feelings, and intended to prevent the free exercise of the elective franchise in that borough; that they were especially induced to form that opinion of it when they found the issuing of it so recently after the election, coupled with the fact of a conversation which it would be proved had occurred just previous to the election between an elector and Colonel Tremenhere, the Colonel-Commandant, in which the Colonel used the following words:—"If Chatham does not return Admiral Beresford, I hope that the Government will take such measures as will have the effect of shutting up half the shops in the town." The petitioners, in conclusion, expressed their confident hope, that the House would not allow persons holding such situations to interfere unduly with the free exercise of the elective franchise—they asked for inquiry, and for the adoption of such measures as the House in its wisdom might consider the case required. As the House would observe, nothing could be more constitutional or decorous than the tone and prayer of the petition. He was sure that the House would agree with him (Mr. Hodges) in the opinion, that this was a most important petition. Was it to be endured that officers maintained out of the public revenue of the country, should take upon themselves to interfere in the manner here alleged with the freedom of election.? It was quite true, that the order was issued after the election, but its effect would be prospective. What chance (should proceedings like this be suffered) would any tradesman or inhabitant of

Chatham have of fair play in future in the way of his business, if he should at any election hereafter vote against the Government candidate? He was well aware that the Commandant of any barracks might issue such orders as he judged fit relative to the admission of persons into the barracks, but here, if the allegations in the petition should be proved, there had been no charge made against the parties of interference with the discipline of the place; and if the conversation that was alleged to have occurred between an elector and Colonel Tremenhere previous to the election, should be proved, it was plain that the Government influence would be employed to prevent free and fair trading in the place. He was aware that great danger was incurred by persons making applications of this nature either to Members of the House, or to the House itself. Indeed, if such applicants should be few in number, they generally devoted themselves by so doing to certain destruction. But on the present occasion, upwards of 300 persons had signed the petition, and by so doing they mutually protected one another, for it would be impossible to deal destruction on so large a body. He believed it would be found, whenever the matter should be investigated before a tribunal of that House, to which he hoped it would be referred, that the petitioners would be able to support by evidence the allegations contained in their petition. It was his intention, after he had presented the petition, if the House would permit him, to move that it be referred to the Intimidation Committee, appointed on the Motion of his hon. Friend, the Member for Devonport. They had now a complaint brought in a distinct shape before them, and by a petition numerously and respectably signed, and he thought they would fail in their duty if they did not throw some protection over those to whom the elective franchise had been intrusted. The hon. Member brought up the petition, and after it was read, he moved that it be referred to the Intimidation Committee.

Sir *John Beresford* was obliged to the hon. Member for the note that he had last night received from him, intimating that he would present this petition this evening. The only thing that he could assure the hon. Member and the House was, that the charge against the gallant Commandant of the Marine Barracks was a charge, in his opinion, not at all borne out, and he did not think that in the opinion of anybody such a course as that alleged to have been taken by the Commandant would at all promote his (Sir John Beresford's) interests. The fact was, that if he could take any course to make enemies for him in the borough of Chatham, it would be by prohibiting anybody to go into the barrack-yard. He certainly would not be disposed to excite or foment any angry feelings connected with the election; on the contrary, it would give him the greatest pleasure to allay them. The present charge of intimidation after an election was over, was one that belonged to his country, for it was something like a bull, and was indeed a curious charge to prefer. He had never known of the petition until he saw it last night; but if the prayer of it should be entertained, he supposed that the next thing would be, that the House would interfere with commanding officers. He said so, not from any idea of sheltering Colonel Tremenhere whatever; but if they should come thus to interfere with an officer in the execution of his duty, the next step would be to interfere with his Majesty's ships. As to this matter of Colonel Tremenhere's order, relative to the barracks, he knew not whether Colonel Tremenhere had a vote or not. He had himself never questioned electors on account of their votes. He had been applied to by several parties who had given pledges to Captain Byng, but he would not accept their votes. He would rather cut off his right hand than do so. He believed that a better officer, or a more honourable man, there did not exist than Colonel Tremenhere. He (Sir John Beresford) had not served with him, but Admiral Murray, and others who had served with him, spoke of him in the highest terms. Good God! could not an officer give orders to his regiment, or his corps, without being interfered with? As to the conversation that was said to have occurred, the only marked thing in the matter, he had never heard of it until he read the petition last night. He did not think that Colonel Tremenhere would lend himself to any one or any body of men. He was sure that he was incapable of doing anything improper. If any blame attached to the transaction, he (Sir John Beresford) was clear of it, and he would go further, and say, that he was ready to stand in the place of Colonel Tremenhere, as he was sure that he was altogether free from blame also. He did not think that it was necessary for him to say anything more in answer to what had fallen from the hon. Member.

Sir *George Grey* said, that no one imputed to the gallant officer such acts as the petitioners had complained of. Every one knew that a more honourable man did not exist, and he was quite willing to give him credit for acting up to the sentiments he had just expressed. The present question was one of great public importance. Being himself the Representative of a borough (Devonport) somewhat similarly situated to that of Chatham, he could from his own knowledge testify that the zeal of certain officers often outran their discretion, and that in serving the existing Government, they did not stop to consider the freedom of those placed under them as sailors or soldiers as to the giving of their votes. This petition, signed by 300 and upwards of the inhabitants of Chatham, contained charges which, if established, constituted a gross breach of the privileges of that House; and the complaints thus made by those petitioners, were not to be disposed of by the mere assertion, that the commanding officer of a barrack or a ship, might issue any orders that he pleased for the regulation of those under his command, and that he ought not to be interfered with. The House had a right to look at the *animus* with which such orders were issued, whether on the eve of an election, or immediately after it; and he had no hesitation in saying, that if the circumstances stated in the petition were true, they amounted to little short of positive proof that the commandant of the Marine Barracks at Chatham, did interfere so as to influence the freedom of election at a future period, by the exercise of a power which he had no right to use in such a way. It was clear, even had not the conversation alluded to taken place previous to the election, that the electors could not but bear in mind that in a few days after the election was over, a certain course of conduct had been pursued towards those persons who had voted against the Government candidate, that there was no doubt that it was intended to influence their votes at a future election, and to make them know that if they should then give their votes according to their consciences, they would be injured in their interests by so doing. He was of opinion, that if the House were honest and sincere in its desire to maintain the purity and freedom of election, they would entertain this petition, and give it their most serious attention. He knew that the greatest dissatisfaction existed amongst a large class of the voters in the borough which he represented, owing to the manner in which Government influence had been exercised there. He hoped that the Committee to which reference had been made, might be able to devise some remedy to prevent such doings in future. But the object of that Committee would be, not to deal with any particular case, or to sift the charges contained in any petition addressed to that House, with a view to any particular case, either for the redress of particular electors, or the punishment of any individual, that should have acted contrary to the spirit of the Constitution. The object of that Committee was, to take a general view of all those cases, in order to apply a general remedy. It was important that they should have such a petition as this referred to them, but he thought that a Select Committee should be specially appointed to take it into consideration. This case, sustained by the petition of 300 electors, might be taken as a sample of the kind, and he would suggest to his hon. Friend, the Member for Kent, whether, as this case had assumed a serious aspect, he had not better give notice for a future day of a Motion for the appointment of a Select Committee to inquire into it. He thought that would be the fairest and the best way of taking up the matter and investigating it, both as regarded Colonel Tremenhere and the petitioners.

Mr. *Potter* said, that he knew many shopkeepers who had been interfered with in a similar way on account of votes they had given. If the House did not interfere, the freedom of election would be at an end. He believed that there was no cure for such practices but the Ballot.

Sir *Edward Codrington* said, that as practices similar to those alleged in this petition, had taken place at Devonport, he thought it important that this petition should be referred to a Select Committee, specially appointed to take it into consideration. He would be able before such a Committee, to prove that similar intimidation was going on at the present moment in Devonport. Hon. Members had, no doubt, seen a correspondence in the newspapers on the subject. The conduct of the marines at Devonport, in reference to the late election there, should be inquired into, particularly that of the adjutant, who was married to the daughter of the commanding-officer. He would clearly show, before a Committee, that intimidation had been resorted to by him, and that serious injury had been caused to the freedom of election in Devonport. He thought that might be properly attributed to Mr. Dawson having hoisted the Admiralty flag, and to the general commanding the marine corps having taken a leading part in the election at a neighbouring borough.

Sir *Robert Inglis* had thought that the matter to which the gallant Admiral had referred, had been set at rest. If he was not mistaken in the correspondence alluded to, it was stated in a letter from the noble Lord opposite (Lord Ebrington) to whom the case was referred, that the officer in question was not at all to blame.

Sir *Edward Codrington* said, that the hon. Baronet confounded two cases.

Sir *Phillip Durham* hoped the House would be slow to open either barracks or ships to such a class as those persons who endeavoured to get in to them, whether Jews or Gentiles. He had been a great deal at sea-ports, and he would say, that if they were to open a barrack or a ship to those whisky-dealers, they would not have a sober man in either in a short time. If the House was to take the power out of the hands of a commandant of marines, or the captain of a ship, to keep such characters out, they would repent it. They all knew that the men employed in this species of trade, were of the worst description. When a man was fit for nothing else in London, he became a coal-merchant; and so in the sea-ports, when a man was fit for nothing better, he became a seller of gin or whisky. There would not be a sober man in a ship in three days, if such characters were to be admitted into it.

Mr. *Bernal* did not differ from the gallant Admiral as to the impropriety of the House interfering with orders, whether issued by civil, military, or naval authorities, when they contained regulations authorized by the laws of the services. He was as little disposed as the gallant Admiral to ask the House to interfere with the orders of a commander of a ship, or the general placed at the head of a barrack. But the gallant Admiral was mistaken in supposing that it was an order of that description that was complained of in this instance. The petitioners stated that which was a fact, that from time immemorial, certain tradesmen and inhabitants resident in Chatham, had been allowed the liberty, or the license if they would, of trading in the Marine Barrack-yard, with the persons residing there. That was their statement, and he (Mr. Bernal), as Member for the neighbouring town of Rochester, could state that he believed that representation to be true. Of course the commanding officer of the barracks had a right to issue what orders he pleased respecting their admission, but it was not of that the petitioners complained. They complained that by order of the 19th of January, all those who had been in the habit of resorting to the barracks for the purposes of trade had been excluded, with the exception of two or three pawnbrokers and slopsellers who had voted for the gallant Admiral, the present Member for Chatham. If any disreputable conduct had been discovered amongst this class of persons, or if they had been guilty of any irregularity, they could not complain of the order. All that the petitioners asked for was, that there should be a fair and impartial exercise of the power vested in the hands of the commanding officer. They sought for no more. He must contend that this question involved a most important constitutional point—namely, how far the military authorities of the country were at liberty to do acts in the exercise of their authority, that would have the effect of abridging the franchise of Englishmen. Thus stated, it would be seen at once that this question involved a constitutional point of the utmost importance. He was glad to find this matter brought before the House. If voters were not allowed to exercise their franchise freely and conscientiously—if, in short, such practices as the one complained of in this petition should be permitted, all freedom of election was at an end. It would, under such circumstances, be a perfect farce. He believed that Colonel Tremenhere was a respectable and distinguished officer, but that had nothing to do with the point in question. The House was to look to the principle involved in such a proceeding as this; and neither of the gallant Admirals had touched upon the real point at issue. In the present case, the charge was, that a military officer had exercised his military jurisdiction with a view to endeavour to prevent a large portion of the inhabitants of the borough from voting as their consciences might induce them. He trusted that his hon. Friend would not allow the matter to drop; and that the House would take it fully into consideration. In justice to the officers, as well as the inhabitants, the whole matter should be investigated, and the circumstances explained, and contradicted, if they could be contradicted. He was sure that the House would be eventually obliged to deal effectually with this real grievance, and to come to some strong Resolution, the carrying of which would have the effect throughout all England of setting this question finally at rest. It was equally important to Gentlemen on both sides of the House that the question should be settled. Whatever set of men might be in the Government, he trusted that Parliament would be always ready to put down illegal and unconstitutional interference with the freedom of election.

Lord *Ebrington* rose merely in consequence of the reference made to him by his hon. Friend opposite (Sir R. Inglis), regarding the opinion he had given with respect to the conduct of an officer at the Devonport election. He begged to state that the case in question was totally distinct from that to which his gallant Friend, the Member for Devonport, had just now alluded. The case to which his gallant Friend alluded, was that of an officer of marines, not a magistrate. The case whereon he (Lord Ebrington) had been called on to give an opinion, was in consequence of a representation that had been made to him by Captain Foot, of the navy, that his brother magistrates had declined to act with him on the Bench, on account of his soliciting the votes of certain licensed victuallers for Sir E. Codrington, and Sir G. Grey. Captain Foot sent him (Lord Ebrington) the whole correspondence on the subject, as well as the statement of the licensed victuallers, and after a careful examination of them, it was his (Lord Ebrington's) opinion, that there was nothing in the documents containing the slightest imputation on the character of Captain Foot as an officer or a man. With regard to the petition now before the House, he was not one of those who desired to carry the interference of that House in matters of military government beyond its just limits; but he must at the same time protest against the doctrine laid down by the gallant officer opposite, that the orders given by an officer under particular circumstances, might not become matter for inquiry on the part of that House. He considered that where any regulations so issued had reference to the exercise of the elective franchise by any individual, or came to interfere directly or indirectly, with the free exercise of that franchise by any individual, it was the bounden duty of that House to protect its own privileges, and the privileges of the electors. He was sure that it was only by maintaining that doctrine to the fullest extent, and acting upon it fully and fairly in every case, that they would do their duty to their constituents, or maintain in the face of the country and of the people of England, that national respect and good opinion which it should be the common object of all men, of all parties, to secure for that House.

Sir *Samuel Whalley* said, that they never could maintain the freedom of election unless they dealt out a measure of censure, or of punishment if necessary, in cases of this kind. They might express as often as they pleased in general terms their condemnation of intimidation, but to point out a particular case to public opprobrium was the surest way to prevent a repetition of the offence.

Sir *Edward Knatchbull* did not rise to oppose the motion, for if it should appear that there had been any illegal interference on the part of the military, or any other authorities, with the exercise of the elective franchise, it was the undoubted right of that House to interfere to protect the freedom of election. In discussing the question raised by this petition, he would not go into the case of the Devonport election, referred to by the gallant Admiral. That case had been fairly set at rest, and that the imputations in that instance cast upon the officers, could not be supported. With regard to the present case, he regretted he was not in his place when the petition was presented, but having since read it, he would suggest to the hon. Member the propriety of postponing it for two or three days, in order that he (Sir E. Knatchbull) might have a personal communication with the gallant Officer against whom the allegations were made, and which allegations it was impossible for him to contradict or answer on the present occasion. It was rather hard that such grave imputations should be cast upon a gallant Officer without notice having been given to him. It was not just or correct to assume that charges of the kind were well founded. That was unfair. It was not only in the town of Chatham, but in other parts of the county of Kent, as the hon. Member (Mr. Hodges) was aware, that charges of this kind had been made, and could not afterwards be established. The hon. Member knew that he himself had been misled in a similar case. Having made charges against an hon. Friend of his, which the hon. Member, upon following up the inquiry, found were erroneous. He had a right, therefore, to assume that the same might be the case in this instance. It was going rather far to assert, that an order issued eleven days after an election, had been issued in consequence of that election. He trusted that the House would consent to the postponement of the case for a few days.

Sir *Thomas Troubridge* said, that this was not the only case of intimidation that could be brought forward in boroughs situated like Chatham. This was a very important case, which ought to be taken up by the House; and he hoped that the suggestion of the hon. Member for Devonport would be followed, and that a Select Committee would be appointed to take it into consideration. He did not consider it the part of an officer either in command of a ship or marines, to give an order that would have the effect of intimidating individuals from giving their votes freely. As it appeared to him, the gallant Admirals opposite had altogether fought shy of the question. He himself could lay before the House a similar case of intimidation, the circumstances of which he should be almost ashamed to detail. He had no doubt that Colonel Tremenhere was a gallant officer, but applying himself to the general principle of interference with the votes of electors, he would say, that it should not be put by or put down by any side wind in reference to the character of an individual. It was the imperative duty of the House to maintain the free exercise of the elective franchise, and whenever a Motion was made to appoint the Committee suggested, he should give it all the support in his power.

Sir *John Campbell* was of opinion that the House was bound to interfere in this case. He thought there should be a Select Committee appointed to investigate the whole matter, and to examine witnesses on both sides, in justice as well to Colonel Tremenhere as to the petitioners. The allegations contained in the petition went to prove a direct interference with the elective franchise. It appeared on the statement of the petitioners that eleven days after the election an order was issued, which was in substance that all tradesmen who had voted for Captain Byng should be excluded from the Marine Barracks, and this fact, coupled with the declaration alleged to have been made by Colonel Tremenhere to an elector previous to the election—namely, that "if Chatham should not return Admiral Beresford he hoped the Government would adopt such measures as would shut up half the shops in the town," amounted in his opinion to a direct interference with the freedom of election. [Sir *Edward Knatchbull.* The allegation is not true.] He did not say it was true, but it was alleged in the petition, and he was only suggesting that they should give an opportunity of investigating the matter, and affording Colonel Tremenhere the means of disproving those allegations. Until he did so they must suppose that they were capable of proof. He (Sir John Campbell) sincerely hoped that the charge might be refuted; but this he would say, that it was a charge which the House, in justice to itself and to the country, was imperatively bound to investigate. He trusted, therefore, that the hon. Member for West Kent would give notice for an early day for a Motion for the appointment of a Select Committee to investigate the subject.

Sir *Richard Musgrave* thought the matter highly deserving the attention of Parliament. He could state that in his own county (Waterford) many cases of intimidation had occurred, and that the inhabitants, at a public meeting, had come to a determination that nothing but the ballot would protect the electors.

Mr. *Hardy* was of opinion, that if the facts should be substantiated, that it would be the duty of the House to address his Majesty to remove this officer. He must say, however, that it was a great hardship on the gallant officer that an opportunity had not been given him to meet it in the first instance, as in that case, probably, this discussion would have been unnecessary. If the question had been postponed such an opportunity might have been afforded to the gallant officer. If there was to be an inquiry, it ought to be entered upon speedily.

Mr. *Hodges* could assure the hon. and gallant Officer opposite (Sir John Beresford) that nothing was further from his intention than to cast any imputation upon him. He had not alluded to him further than he was necessarily alluded to in the petition. With regard to postponing the discussion on the petition, it was a matter of indifference to him. He had mentioned to the right hon. Baronet (Sir Edward Knatchbull) yesterday, that he had such a petition, and that he intended to present it to-day, and the right hon. Baronet never hinted to him the propriety of deferring the presentation of it. If the right hon. Baronet had done so, or if the right hon. the Member for the county of Edinburgh (Sir George Clerk) had done so, he would have postponed it to another day. The right hon. Baronet had alluded to some allegations which had been made by him (Mr. Hodges), from the hustings at the last election. He, on that occasion, did complain of intimidation and improper influence having been resorted to, but he expressly acquitted his hon. colleague of having any knowledge of such things. In fact, he did not allude to his hon. colleague at all then. He had since made a diligent inquiry into a number of those cases, and he was bound to state that it would be impossible for the Committee of his hon. colleague to give a guarantee to those persons if he brought them forward; he was quite sure it would be their absolute ruin if he were to do so. He had already expressed his satisfaction that a petition had been forwarded like the present, bringing the case of intimidation before the House in such a way that the individuals coming forward to complain would not be ruined, which would be the case with the individuals in the instances alluded to by him at the hustings at Kent, if they should appear to substantiate the charges which he, on their authority, had made. The gallant Admiral opposite had not been sparing in his abuse of those persons trading in Chatham. He spoke of Jews and Gentiles, and whisky-sellers, and gin-sellers, and would seem to insinuate that they were persons of the lowest description. Now, many of them were possessed of large capital, and were highly respectable tradesmen. He trusted, therefore, that their character would not suffer from the statement of the gallant Admiral. He (Mr. Hodges) had no personal motive in bringing this matter forward, he brought it forward on public principle. He knew nothing of the gallant Officer implicated in the petition. In fact, he did not know of his existence until he saw his name in the petition. As far as he could collect, it appeared to him that it was the general desire on all sides of the House that justice should be done as well to the gallant Officer as to the petitioners, and that with that view the matter should be referred to a Select Committee for investigation. Under those circumstances he would withdraw his Motion for referring the petition to the intimidation Committee, and give notice that on Tuesday, he would move, that it be referred to a Select Committee.

Petition to be printed.

Poor Laws for Ireland.] Mr. *Smith O'Brien*, in bringing forward a Resolution which would pledge that House to relieve the aged, helpless, and infirm poor of Ireland, felt the disadvantage under which he laboured, by the Commissioners who had been appointed to inquire into this subject not having yet reported. This objection he knew would have a great weight with some, but it would have none with those who, like him, thought that every hour which they delayed in passing a law to give relief was an unnecessary postponement of a measure necessary to the peace and tranquillity of Ireland. The objection would have no weight with those who knew, as he did, that there were thousands, tens of thousands, he might say hundreds of thousands of human beings living for the last seven years in a state of the most absolute destitution, and this, too, was happening while that House was deliberating, was appointing Committees, and was nominating Commissioners to ascertain questions which it required no inquiry to solve. At various periods the question of Poor-laws for Ireland was before that House, but it was always baffled or postponed. In 1829, Mr. Villiers Stuart brought forward a Resolution sanctioning the principle of Poor-laws for Ireland; it was met by the previous question. In 1830, a

Committee was appointed, and that was given as a reason for not acceding to Mr. Sadler's Motion. That Committee afterwards reported upon every conceivable subject except the subject for which it had been specially appointed. In 1831, he had the honour of introducing a Bill upon this subject; it was met by repeated delays on the part of the Government, and it was at last postponed until the dissolution took place. The Bill then fell to the ground by his ceasing to be a Member. In 1832, the same thing occurred; there was another postponement; and in 1833, Mr. Richards's Motion was met by the appointment of the Commission, as a new argument, why the House could not come to a conclusion. The Commissioners in Ireland were anxious to ascertain the state of the poor; while it was notorious that the wretched state in which they were was disgraceful to the Government. That great ornament of the Catholic Church, Doctor Doyle, had long since contended for the necessity of a provision for the Irish poor, and an extract from the work of an intelligent English traveller, Mr. Inglis, who had visited Ireland last summer, accurately described their condition.

I spent a day, said Mr. Inglis, in visiting those parts of the city where the greatest destitution and misery were said to exist. I entered upwards of forty of the abodes of poverty; and to the latest hour of my existence, I never can forget the scenes of utter and hopeless wretchedness that presented themselves that day. I shall endeavour to convey to the reader some general idea of what I saw. Some of the abodes I visited were garrets—some were cellars: some were hovels on the ground-floor, situated in narrow yards or alleys. Let the worst be imagined, and it will not be beyond the truth. In at least three-fourths of the hovels which I entered, there was no furniture of any description, save an iron pot; no table, no chair, no bench, no bedstead—two, three, or four little bundles of straw, with, perhaps, one or two scanty and ragged mats, were rolled up in corners, unless where these beds were found occupied. The inmates were some of them old; some crooked and diseased; some younger, but emaciated, and surrounded by starving children; some were sitting on the damp ground, some standing, and many were unable to rise from their little straw heaps. In scarcely one hovel could I find even a potato. In one which I entered, I noticed a small opening leading into an inner room; I lighted a bit of paper at the embers of a turf, which lay in the chimney, and looked in; it was a cellar wholly dark, and about twelve feet square; two bundles of straw lay in two corners; on one sat a bed-ridden woman, on another lay two children, literally naked, with a torn rag of some kind thrown over them both. But I saw worse even than this; in a cellar which I entered, and which was almost quite dark, and slippery with damp, I found a man sitting on a little saw-dust; he was naked; he had not even a shirt; a filthy and ragged mat was round him. This man was a living skeleton, the bones all but protruded through the skin; he was literally starving. In the place of forty hovels I might have visited hundreds;—in place of seeing, as I did, hundreds of men, women, and children in the last state of destitution, I might have seen thousands. I entered the alleys, and visited the hovels, and climbed the stairs at a venture. I did not select, and I have no reason to believe, that the forty hovels which I visited, were the abodes of greater wretchedness than the hundreds which I passed by.

He could himself bear testimony to the accuracy of Mr. Inglis's description. He accompanied the Poor-law Commissioners last year through Limerick, and he could truly say, that no language could describe nor the imagination conceive, anything equal to the frightful reality of the scenes he beheld. He was afraid to state the actual amount of the poor of the city of Limerick, lest he should be supposed to exaggerate; but there were at least several thousands in that city, while the charitable institutions could not afford relief to more than 400 persons. In Dublin, there were 30,000 persons living in the greatest destitution. Every village in Ireland was encumbered by its numerous poor; and this was occurring in a country from which the exports to Liverpool alone amounted annually to four millions and a half; and the entire of the agricultural produce exported to this country was probably little short in value of 10,000,000*l.* When they saw the population living in this state of wretchedness in a country so productive, could they be surprised that it was disturbed? Should not their surprise be rather, that it was not infinitely more disturbed? But let them see how the poor lived in Ireland, or how they were supported. In Ireland, it was extremely well known that the poor were supported by the poor. The farmer, who was himself struggling, never refused food to the mendicant. The landed proprietors, with a few honourable exceptions, contributed, what was, in amount, a most insignificant sum. The classes in Ireland requiring relief were the helpless, the orphan, the widow, and the unemployed labourer. He would make a distinction between them. He would insist upon relief for the helpless, the orphan, and the widow; while, as regarded the able-bodied poor, though it seldom happened there was sufficient occupation for them in their respective parishes, yet they might be engaged in different districts upon works for the public advantage and utility. An objection might be made by persons in high favour in that House, that there was a rapid improvement in the condition of Ireland, and might call on them to let Ireland alone, and it would arrive at the climax of prosperity without the assistance of Poor-laws. He did not deny, that in particular places there was an improvement, that production had increased, and that the number of persons in comfortable circumstances had increased; but there could not be a doubt that the aggregate mass of misery in Ireland was greater now than ever it was, and that this had been caused, in many instances, through the cruel practice of turning poor persons out of their little holdings, for the purpose of consolidating larger farms; by the abolition of the forty-shilling freeholders, and by the working of the Subletting Act. He would ask those who talked so much of prosperity, if half the labouring people of Ireland were employed, or were in the possession of the means of subsistence. Multitudes were, in fact, living in the most helpless state of destitution, and yet it was said their condition was prosperous, and the nation was prosperous. Another argument against the Poor-law would be, that it would destroy the sympathies of all human beings for one another, and the feelings of charity of the poor towards each other. But if a man were rich, he should not be allowed to throw his poor relations on the sympathy of the poor. He would be most ready to grant a remedy against that person; but for the poor to support the poor, who had no claim upon them, was so far from being an objection, that it was a strong argument in favour of a Poor-law. One fact could not be denied, that such a law would at once put an end to what could not but be considered an evil:—indiscriminate relief to the poor. There was another class of persons who, although they admitted the practice and the principle of Poor-laws, declared it would be impossible to avoid the abuses of the English Poor-law. He was not prepared to say, that a plan could be submitted which was free from objection; but he would prefer the chance of a contingent danger, to the endurance of the present evils. He had no hesitation in saying that the badness of the Administration of an English Poor-law was the cause of their not having a better state of things in Ireland. But then it was said they had not in Ireland a sufficient machinery for working the Poor-law—it could not, he thought, be denied that they had as good materials for them as England possessed in the reign of Elizabeth. The management of the Irish gaols and hospitals would certainly bear comparison with the management of any in England, and if they had the power of uniting parishes, he had no doubt but that a Poor-law could be brought into beneficial operation. He would state the outlines of his Bill, although it was his intention to leave the matter in the hands of the hon. Member for Waterford (Sir Richard Musgrave), who would draw up a Bill, and whose intention it was to move that it be referred to a Committee to prepare the details. What he wished to propose was, that every parish in Ireland should be called upon to assess itself for the relief of the helpless poor. The poor entitled to relief should be strictly defined, and they should be only the impotent and the helpless. A Committee should be appointed annually to administer the Poor-law; and as it was said, that the poor-rate would absorb the rental, he did not mean to impose more than a shilling in the pound. A certain portion was to be paid by landlord and tenant—those proportions to be determined by the Committee; but let it be said, the landlord should pay two-thirds, and the tenant one-third. He proposed also to tax the absentee landlord—which could not be objected to by any one; for it would not impose upon him more than any other holder of property; but it would compel him to give something to relieve that distress, which he now disregarded and increased by his absence from the country. It was also desirable that the Legislature should make some provision to suppress vagrancy, instead of the cruel statutes now in force. In looking over the papers laid before Parliament, he was surprised to find, that in 1830, not less than fifty-seven persons had been transported for seven years for vagrancy. He would tell the House that until they diminished the sufferings of the poor of Ireland, they could not expect security in that country. Those who felt that the laws were of no benefit to them who offered the labour of their hands to sustain life, and could not find employment, would care little for transgressing the laws and disturbing the public peace. If they treated Ireland, not as a dependency, but as a part of the empire, they could govern it, not by military force, not by the baneful policy of encouraging factions, who promoted discord, but by the blessings of good laws, and good institutions. The hon. Member concluded by moving, "That, in the opinion of this House, it is expedient that a provision should, without delay, be made by assessment upon property in Ireland, for the relief of the aged, infirm, and helpless poor in that kingdom."

Sir *Richard Musgrave* seconded the Resolution. The hon. Baronet, after referring to the Report of the Committee of 1831, appointed to inquire into the question of giving Poor-laws to Ireland, and stating that that Report was of itself a sufficient ground for legislation, said, that, without going into Ireland, no one could imagine the state of want and destitution which prevailed in that country among the poor. The wretched inhabitants, who had wandered about all day in ragged garments, were frequently obliged to pass the night without any other covering. Charitable individuals endeavoured, in some measure, to remedy this evil by supplying them with clothes, but this was ineffectual for the purpose, as they were after a short time compelled to sell them to save themselves from absolute starvation. Cases were frequently brought before the Magistrates of breaches of the law, committed in consequence of the pressure of extreme want, and the privation of the actual necessaries of life. The Magistrates were unwilling to punish such offences, but as the law compelled them to punish, they visited the first offence, with a slight fine; necessity, however, soon drove the offender to repeat the offence, and then he was sent to gaol, where he was provided with food and lodging, and was better off than when at liberty. The poor man might be fined 5*l.*, but he might as well be called upon to pay the national debt. It was most painful to him as a Magistrate to commit persons to prison for breaches of the law under such circumstances. The present Resolution went no further than to relieve the helpless and impotent poor. He doubted whether a measure for the relief of the able-bodied poor could at present be carried into effect. The design of the original institution of property was to incite men to industry. He recommended that more employment should be given to the poor on public works. The public were hardly aware of the great advantages attending employment on the public works, but there ought to be an improvement in the management of them. They ought to be managed by permanent boards. It was, he believed, the intention of the noble Duke (now Secretary for Foreign Affairs), when he was at the head of the Government, to have introduced a great extension of the public works. He hoped his Majesty's present Government would follow up that plan. He feared that at present any other general plan of employment would be ineffectual. He had, on the first day of the Session, given notice of his intention to bring in a Bill for the relief of the helpless poor, drawn with the greatest care and attention by a Gentleman of great experience, and if the House would allow him to bring it in, he trusted that he should be able to prove that its provisions would be effectual.

Mr. *O'Connell* felt it is painful duty to offer his opposition to the Question brought forward by the two hon. Members who had spoken before him. No man in that House could appreciate more fully the motives and the feelings of humanity which had induced these hon. Gentlemen to propose the remedy of legislative relief for the evils which oppressed Ireland, but he apprehended that their very desire to relieve the distress might mislead them as to the means of doing so, and he hoped, that in endeavouring to get rid of a temporary depression, they would not introduce a permanent evil into the country. He trusted that the House would, therefore, pause before they pledged themselves to a resolution like that which was brought before them upon this occasion. He would beg of hon. Members to observe, that this was not a motion for the introduction of a Bill. If it were, the House would have several opportunities of considering the question. The principles of the measure might be considered on the Motion to bring in the Bill on the first reading, and on the second reading, before they went into Committee, to consider its details; and even if the Bill were to pass the first reading, the House would not be pledged to agree to its principles. But the present resolution took the question *per saltum:* it pledged the House that it was expedient to make a provision for the aged, helpless, and infirm poor of Ireland. He objected to their making such a pledge, in the present state of their information upon the subject. What was the meaning of the Motion? What was meant by the word "helpless?" It did not mean the infirm only; for among the helpless must be included all who could not earn as much wages as would support them. And he would say, that there were none more helpless than that man who, with a large family and a good appetite, could not obtain as much wages for his labour as would feed the one or stay the other. He feared that the effect of the introduction of Poor-laws into Ireland would be to make youth careless, and manhood reckless, if there were a certainty that old age would be provided for. It would, he was apprehensive, be the cause of depriving poverty of its remunerating quality, of loosening the close ties of social life, and inducing callous hard-heartedness to the necessities of relations. At present, the poor of Ireland were remarkable for their attention to their aged and infirm parents, and a man would rather incur any reproach than have it said of him, "You have neglected your old father or mother." The present Resolution would go far to do away with this moral feeling, and it would be as in England, where a son or a daughter would be found battling with their father or mother for sixpence or a shilling. It was proposed, first, to bind the House by a resolution to legislate on the subject, and then to bring in a Bill, then to refer it to a select Committee, who would collect evidence, and report to the House their opinion on the measure; and as it was impossible but that a great deal of time must be taken up in the inquiry, the Session would be thus wasted away. But while the House was thus consuming its time, there was a commission actually at work on the subject; the Report had not been prepared, but a great deal of evidence had been collected; he had seen some of that evidence, and it disclosed the most extraordinary fact, that the poor of Ireland were supported by the poor themselves. The gate of the rich man was barred, but the door of the unfortunate cottager and small farmer was never bolted against the poor. He should wish that the evidence taken before the Commission were laid upon the Table of the House before they undertook the consideration of the subject, in order that they might have an opportunity of seeing their way, and of considering if it were possible to do anything to afford relief to the Irish poor, without, at the same time, introducing the immorality which attended the administration of the Poor-laws in England. He would not trespass any further on the patience of the House at that time, but he hoped that his hon. Friend would not press his Motion to a division. He considered that a measure of this important nature ought not to be introduced upon individual responsibility, nor should its adoption depend upon the persuasive talents of any individual. He submitted to the House whether so important a question as the subject of the Poor-laws in Ireland ought to be left to the management of individuals, or to the persuasive manner of an hon. Member, or whether it ought not rather to be brought before the House under the sanction, and upon the responsibility, of the Government? The Poor-law system had, after all, not succeeded so well in England itself. They had no reason to be proud of the effects of its operation. A great experiment had been made last year, with a view to improve it; but it was impossible, at present, to say whether that experiment would succeed or fail. Ireland had better wait till it was seen whether the system worked well here. If England, with all her wealth and intellect, was still labouring under the effects of that system, great caution should be manifested in applying it to Ireland. At any rate, it would be most unwise to place the House, in the first instance, in a decided position till they had seen the practical effect of the alteration of last year. He did not wish to meet the question with a negative, as that proceeding would be not consistent with the respect he felt for the hon. Member who supported the resolution, but he should move the previous Question.

Mr. *Feargus O'Connor* said, that while he was perfectly aware that the hon. and learned Member for Dublin, in common with many other persons, was not friendly to the introduction of Poor-laws in Ireland, he still believed that the poor of Ireland were desirous of some provision being made for them; and he should have liked the hon. and learned Gentleman to have suggested some means by which this object might be accomplished. He held that all crimes in Ireland arose from, and were attributable to, the fact of no provision. The hon. and learned Gentleman affected to be at a loss as to the construction of the word "helpless." The man who could not procure labour would be looked upon as helpless, he said, and hoped that the provisions of the Bill would be more explicit. The hon. and learned Gentleman said, that the evidence, in respect to the poor, was most frightful; and when he said, that it was the poor who were called upon to support the poor, would the House believe that the whole amount paid by them was at the rate of sixteen per cent.? He was not disposed to leave this measure to the hands of the Government under any circumstances, and still less so from his recollection of the speech of the right hon. Baronet (the Chancellor of the Exchequer) upon the occasion of the introduction of the measure of the hon. Member for Knaresborough. That right hon. Baronet then proposed that a Commissioner should go into every foreign country as well as to Ireland, to prosecute an inquiry respecting the poor. From that moment he saw that the right hon. Baronet was averse to it. Many Magistrates had told him that, in all their experience, they had never known a man earning his eightpence a day brought before them on any charge. The hon. and learned Member had done justice to the peasantry of Ireland when he spoke of the spirit which animated them in supporting their relations and poor neighbours. But he would put it to the House, whether these persons ought to draw on their own resources, when that House should legislate for them? And when the hon. and learned Gentleman spoke of the system of Poor-laws in England, and the impropriety of introducing them into Ireland, he would observe, that it might be recommended to amend the present law in England; but was it because the existing law was inoperative in England that some system should not be made applicable to Ireland? The hon. Member had also complained, that the Motion was not brought forward in a more specific manner; but he (Mr. O'Connor) thought it was as specific as it could be. They were told, too, the Session must pass away before evidence could be collected to enable them to legislate upon the subject, but he disputed the probability of this event. The introduction of Poor-laws into Ireland was as much an English as an Irish question. The English labourer complained, that he could not get employment in consequence of Irish paupers coming over here. But let them look at the Irish labourer rising from his bed of straw, willing, but not able to get work, and then let them say, whether he was not only an object of compassion, but a subject for relief. Then, unable as he was to get work in his own country, the moment the Irish labourer left his home to seek for employment during the harvest in England, his wife and children were thrown entirely on the charity of their poor neighbours. Would it not be too bad to take them out of the market for labour, and refuse them relief of any kind? As long as Ireland was in a state of desolation, so long would it be at the mercy of every agitator. His object was to make the Irish amenable to the law, which they never would be while they were so extremely poor. The hon. and learned Member for Dublin, though powerful on other occasions — and he (Mr. O'Connor) was glad for the interest of Ireland, and the cause of liberty and justice, that he was so powerful—yet, with all his power he was quite powerless on this question. That hon. Member would find himself borne down by the force of public opinion. He trusted, for the interests of his country, that the hon. Member would go on with his Motion, and press the consideration of this important question again and again on the attention of the House. The present Bill only proposed to grant relief to the aged, to the infirm, and the helpless young; but that relief was not enough to settle the present disorganized state of Ireland. He (Mr. O'Connor) would go much farther. He would not limit himself to this species of partial relief, to be extended to particular portions of the people. He would have a classification of society in Ireland, and without this there could be no good effected for that country. Yet he would take all that he could obtain, though that might not amount to the full demand of justice he was entitled to make. He knew, that many Irish landlords, who had been before hostile to the introduction of poor-laws into Ireland, had changed their opinions lately, in consequence of the growing necessity for that measure. Many of those landlords had declared, that they would sooner surrender their property than retain it under the circumstances of the present misery, and consequent demoralization and turbulence, in which the wretched poor were forced to exist. If it were true, as had been repeatedly stated, that the relief must eventually come from the pockets of the Irish landlords, would it not, he would ask, be an advantage to the landlord to be relieved from a tax of at least sixteen per cent, which the present poverty of the country imposed upon him for the relief of the surrounding paupers? At present, every farmer's house was a poor house. Let not that House talk of agitation or social disorganization. The poverty of the Irish—the absence of poor-laws—was the fruitful source of both. Neither let them speak of giving wholesome laws, and granting wholesome measures of legislative liberality, while the people wanted wholesome food. While the people were famishing they would be discontented, and there would not be found persons wanting to foment this discontent, engendered by poverty. He had intended to bring in a Bill on this subject, but the hon. Member had taken it out of his hands; and he was glad of it, from the superior mode in which the hon. Member could deal with it. The present misery of Ireland was to be traced to the system of dividing land into small farms, and subletting with all the concomitant evils. It was asked on the other side, why should we at once rush to a conclusion? He did not want that, he did not require they should jump to a conclusion. He only required, that they should proceed gradually, but steadily and safely. He hoped Ministers would give some pledge, that they would take up this question. Last year the Irish Secretary gave as his reason for not adopting any measure of relief, that the Commissioners had not reported. That support was not yet made, and he supposed never would be. He only asked for relief piecemeal; with that he would be satisfied. But some relief he should have. Whenever that Report were submitted to the House, he was sure he should be able to make out a case, that would force the House to grant some remedy. He trusted some Member would bring forward the question again if the present Motion were lost. In consequence of the opposition of the hon. Member for Dublin, he had now stated his approbation of the Motion. He had deeply considered the question, and from his boyhood he was anxious to support a measure for the relief of the poor.

Mr. *Poulett Scrope* said, that he had ever taken a very great interest in this question, but had failed in his object; and happy he was, that he had so failed, because it had been brought forward by hon. Members, who, from their large stake in the country, would have some chance of prevailing with those who were similarly circumstanced to look at this question without prejudice. The hon. and learned Member for Dublin, in opposing the Resolution, told them to wait for the Report of the Commission. If he had told them that there was a chance of this being received in the present Session, and that there would then be time to legislate, he would have joined in deprecating this early proceeding; but, as he had every reason to understand, that there was no chance of such Report being laid on the Table of the House in time for the discussion of the question, he would say, that they had no other plan to pursue than to bring it forward, and to take the opinion of the House on a question of an abstract nature—so simple as to require no evidence. What were they sitting in that House for, but to provide for the safety and welfare of the inhabitants of the three kingdoms? What were they to do for Ireland? He did not ask whether the people were comfortable, happy, or prosperous, at the present period; but he would ask, whether they were able to have any security for their existence? This question might be viewed in several lights—as a question of humanity, of Christian charity, of police, or of abstract justice. On all these points it was impossible to come to any other conclusion. As a matter of humanity, or of Christian charity, it was clear, that no inhabitant of a country should be permitted to starve. Doctor Doyle's evidence proved, that a large number of persons were in a state of daily starvation in Ireland, and it was asserted, that such was their reduced condition, that their blood was coloured yellow from the weeds on which they fed. It was as notorious as that the sun shone in the heavens, that distress and starvation overwhelmed the country. In times of famine, instances of actual starvation were not unusual. The reason why they were not more common was, that the poorest individual would and did share the very last thing he had with a fellow sufferer, rather than allow such a person to die from sheer want. Establishing a system of Poor-laws in Ireland, so far from injuring the landowners, would materially benefit them. If poor-laws were not to be introduced, what was to be done with Ireland? Was it the intention of the right hon. Baronet to move this Session again, that the Coercion Bill should be passed for another year? If such a proceeding was contemplated, without bringing forward some measure of relief, the right hon. Baronet might rest assured, that with the present House of Commons such an attempt would fail. So long as so many persons were starving in Ireland, so long as hundreds were travelling up and down the country in search of employment, and unable to meet with work, so long would it be absurd to talk of remedying minor grievances. He was persuaded, that crime was increased in Ireland to a very great extent, owing to this state of starvation; indeed, when fathers were unable to feed their children, and mothers had infants dying at their breasts from nothing but want, anything else was hardly to be expected. This question deeply affected, not only all who were interested in any way in Irish property, or the state of Ireland, but also the whole of England and Scotland. English landlords were not only obliged to support the poor of their own country, but a great portion of the Irish, in consequence of that portion of the Irish population not being able to reside in their own country. The consequence of so many Irish labourers being here also, made worse for the working classes of the English, because it occasioned the price to be given for labour to be considerably less than it otherwise would be. The Irish landlord was likewise able to send over his produce here, as well as his live stock, to be sold at a lower rate than the English landlord could afford to sell his produce, in consequence of the remuneration for labour in Ireland being so very much lower than it was here. Two centuries had been allowed to pass away, without anything whatever having been done for Ireland. If the Report of the Commissioners was about to be brought forward, he might not object to support the Amendment that had been moved, for then he might have some hope that something would be done for Ireland during the present Session; but otherwise he should feel bound to support the original resolution.

Mr. Secretary *Goulburn* took a different view of this subject, from that which some of the hon. Members on the other side of the House seemed to take, although he was not less anxious than any of them to afford relief in an effective manner from the evils complained of. Although he felt it to be his incumbent duty, on the present occasion, to vote for the previous question, rather than in support of the original Motion, this was not because he had formed any opinion either adverse to the relief of the poor, or in favour of any particular mode of relief, but because, at the present moment, he found himself labouring under that incompetency, which he was sure must affect the greater number of the Members of that House, to come to any definite decision as to the course the House should take on so great and important a question. He was, for one, unable irrevocably to pledge himself, that he would immediately assess all property in Ireland, for the relief of the poor of that country. He should, under any circumstances, object to deciding such a question by a mere Resolution of the House. He thought, that a point so important to the empire at large, and involving the interests of every class of the community, ought not to be prejudiced by any single opinion of one branch of the Legislature. Those who were favourable to the Resolution, ought rather to be desirous that the subject should remain over until some enactment could be proposed and brought forward, upon which a full discussion could take place, and upon which the opinion of all the branches of the Legislature could be obtained, than to have the question prejudiced by such an attempt as this. There were many objections to coming to a decision in favour of this Resolution. It could not be done consistently with any former proceeding of the House, in regard to the question of Poor-laws in Ireland. An hon. Gentleman opposite had said, that such Motions as this had failed on former occasions, on the ground of its having been necessary to obtain information through inquiries that were then instituted; but if that were so, when Committees merely were sitting to investigate into the state of the poor, how much more forcibly did that argument apply at present, when, having found the insufficiency of inquiries by Committees, —having found that Parliament could not proceed upon the evidence to be obtained from Gentlemen before those Committees, the Crown had been advised to appoint a Commission to examine into the whole of the details of this important subject, and which it was doing with a minuteness and accuracy that no Committee could ever hope to attain. That Commission had now been in active operation for some time past in Ireland, and he had been assuredly informed that the Commissioners had applied themselves to the collection of every information that could bear upon the subject, with a diligence and assiduity that no one would attempt to question; indeed, if he understood the hon. Mover of this Resolution, he himself seemed to think that that Commission had conducted the inquiry in a way that was likely to convey a most accurate knowledge of what the real facts were. If that were so, what argument could be adduced by any Gentleman against deferring a decision on this important question, until after all the information was before the House, that that Commission could afford? Although many Gentlemen, from their local knowledge, might be able to give very valuable information, yet it would be surely much better to have all the facts from those who were engaged in collecting them in the most impartial and accurate manner. He was aware that a considerable time had elapsed since this Commission had been appointed, but the House could not expect that upon a great question like this, involving so many branches and so many separate inquiries, it was in the power of any set of men, however diligent and effective their labours, to make a report within a very limited time. He had, however, been informed by the Commissioners, who had been intrusted with this Commission, that with respect to one branch of the inquiry, the evidence was complete, and in the course of printing; and that, upon another branch of the inquiry, the inquiry had made great progress. He must object to any evidence that was at all likely to be partial, but he thought that could not be imputed to anything that would be laid on the Table of that House, from the Commission to which he had alluded. The hon. Gentleman who had spoken last, had said, this was a Resolution with a view to assist the helpless, the impotent, and the infirm. That did not remove the objection to this proceeding at present. The right hon. Gentleman could not consider this as disconnected from the great question, whether there should or should not be a Poor-law established all over Ireland. The decision upon the question of relief to all who were helpless and infirm involved necessarily the whole question of Poor-laws. He was not prepared, without the completion of the inquiry by the Commission, to declare that there should be a compulsory assessment on all the property in Ireland, even for the benefit of the helpless, undefined as that term had been. He hoped the House would remain quiet on this subject, until the whole of the evidence that could be collected was before it, because then, and then only, would it be likely to arrive at a decision calculated to do away with real grievance, instead of perpetuating by a rash proceeding, existing evils, or, perhaps, causing other and worse evils, which might endure for generations to come.

Mr. *William Roche:* Sir, the excellent spirit in which this subject has been discussed, together with the very pleasing and promising exposition and announcement of the right hon. Secretary for the Colonies, who has just sat down, justify me in narrowing the observations which my estimate of the importance of that subject might, otherwise, induce me to make, and therefore to limit, which I am always disposed to do, my trespass upon the time and attention of the House. My hon. Friend, who so calmly and efficiently brought forward this Motion, has very pointedly and very properly adverted to and depicted the condition of the lower classes of the people in the city of Limerick, which place I have the honour to represent. Sir, I regret to say that the more deplorable that description, and deplorable his description was, the more accurate and characterestic of truth, the deeper—nay, the darker the shades of the picture, the nearer to reality; for, as I remarked a few nights ago, in consequence of some observations which fell from the hon. Member for Coventry, on a similar subject, thousands in the old parts of the town of Limerick are living in a condition scarcely to be envied by the beasts of the field. Groups of poor people congregating together in houses so neglected and unsafe as to be scarcely fit to exist in, consistently with public safety, but nevertheless thus inhabited because of the unfortunate inmates either paying no rent, or a rent next to nothing—a few pence per week for each family; and you can easily judge how much in unison with these habitations every other accompaniment of misery is. So helpless and hopeless is the condition of the poor there that however miserable the food must be, procurable at three-half pence per day, yet hundreds supplicate for admission into the Mendicity, or rather anti-Mendicity Institution in that city, to avail themselves of even this miserable support, and yet hundreds are of necessity rejected, because it is found impossible to maintain by voluntary contribution a fund adequate to their support. Sir, we have also, there, a House of Industry most benevolently superintended, where 500, otherwise forlorn individuals are congregated together, and where from the want of commensurate accommodation, three are obliged to sleep in one bed—and yet I have known persons who had seen better days, crave admission there in order to rescue themselves from utter starvation or destitution—solicitations which the benevolent and gratuitous superintendant of it has been oftentimes obliged to refuse, because the consequence would be the ejectment of inmates just as unfortunately circumstanced. Sir, when acting as a magistrate, I could not sometimes discover an assignable motive for the commission of an offence beyond the preference given to, and the consequent courting of even a jail allowance of food; and crimes punishable by transportation are, I believe, not unfrequently perpetrated by persons anxious to relieve themselves from the pressure of existing misery. This is evidently a state of things and a mass of misfortunes not confined to Limerick, but widely spread over at least the whole south and west of Ireland, and a state of things utterly inconsistent with the healthy or safe position of the body politic, as it is either with humanity or christianity. The celebrated Swift once remarked that he did not know what the paupers of England did with their cast off clothes till he went to Ireland; and really, were he still in existence, the same remark might apply—for the greater part of the poor in the cities of Ireland are clad by the refuse clothing of this country. These observations, Sir, sufficiently indicate my feelings on the subject; but I nevertheless think it would be wiser of my hon. Friend to postpone the matter, and not press it, now, to a division, but wait, at least a little longer, when the labours of the Commissioners appointed so long back to collect information on this subject, may be expected to be laid on our Table, and therefore enable us to approch it with all the advantages which information must afford—and further, because I feel, however indispensable protection be to those whom the almighty has, by age or disease, rendered incapable of providing for themselves, that we will not reach the root of the evil without some system for the employment of the people, which, too, will, I trust, form a branch of our future inquiry, were it only on the principle that prevention is better than cure. Sir, as the whole subject is thus likely to be brought before the consideration of the Legislature more comprehensively and efficient, with, too, I trust, the co-operation of Government, I think my hon. Friend will act more prudently by not pressing it at least for the present, feeling gratified, as he must be, by the sympathy his Motion has elicited, and the determination evinced of, ere long, taking it up with I hope, conclusive effect; for, Sir, the promotion of employment is the best source of public prosperity, and the diminution of poverty constitutes the best security of property.

Mr. *Richards* hoped the hon. Member would not press the subject at present further; but, if he did, he certainly should divide with him. He deprecated the course pursued by the hon. and learned Member for Dublin, who had argued, from the abuses which had grown up in the system of the Poor-laws, against the principle of those laws. As well might he argue from the acknowledged abuses in Government, in religion, in the army, in the navy, and in science itself, against those necessary institutions. The hon. and learned Member who was so sharp upon our abuses, should really condescend to look narrowly, and without prejudice, on the contrast which this country, with its Poor-laws, presented to his own country, without those laws. We had been accustomed to the principle of our Poor-laws, and that system had now, for above

200 years, worked well for the peace of society. The hon. and learned Member would do well to look at their effect here, in the order, peace, and security which prevailed throughout England, and compare these indications with the turbulence, disorder, and cruelty which disgraced the sister kingdom. The truth was, as had been recorded by the ablest historians of the time, that previous to the passing of the 43rd of Elizabeth, which was our Poor-law, the condition of England was very much like the state of Ireland now. The poor went about in bodies, levying contributions on the industrious farmer, often by intimidation of numbers, and sometimes not without offering violence, in order to extort relief or money. The cause, perhaps, of most of the outrages in Ireland might be traced to the state of destitution of the poor, hopeless as they were of any relief from a certain source. Several petitions were last Session presented to Parliament, numerously signed by landowners, merchants, and others in Ireland, in favour of the assimilation of the law in Ireland to the Poor-law of England, so that he believed that a system of Poor-laws would be considered, even by persons of property in Ireland, a boon to that country. He recommended the postponement of the Resolution, in order to enable Ministers to meet this important and all-absorbing subject with the attention it deserved.

Mr. *Sheil* argued that, to obviate objections which had been made by some hon. Member to-night, it would be best to frame the Resolution so as to embrace only those whom age or imbecility rendered objects deserving of charitable relief. There was a striking difference in the legislative history of the two countries. It was this:—After the abolition or confiscation of the monastic property, by Henry VIII., it was discovered that the fund for the maintenance of the poor was absorbed, and to remedy the evil, the 43rd of Elizabeth was passed in the next reign but one. In Ireland the same confiscation of monastic property took place, but most unjustly for the interests of the poor no provision was made even out of the tithes transferred to another hierarchy. He hoped shortly some measure of justice would be dealt out to the people of Ireland in this respect.

Mr. *Hume* differed materially in opinion from the hon. Member for Knaresborough, believing, as he did, that the state of the administration of the Poor-laws was the cause of almost all the evils of which the people of this country complained. He compared the effects of assessment to the practice of contribution adopted by the heritors and proprietors of land in Scotland. This was the general practice in the eastern part of Scotland, but in the southern counties the practice was more nearly assimilated to the compulsory assessment of this country. The vice of the Poor-laws was that it was made a fund for the relief, indifferently, of the indigent through accident or affliction, and the reckless, the extravagant, and the idle, who, becoming poor, applied, as of right, for relief from a fund which ought to be sacred to misfortune. These laws, unfortunately, banished too often provident care and prudent habits from amongst the lower orders. It was but just that casual misfortunes should be relieved, but all habitual dependence on the part of the poor upon this fund should be discountenanced; and he firmly believed that extending our Poor-law system to Ireland would be productive of much misery, instead of giving substantial and general relief. He thought this Resolution and the discussion upon it were premature. He did not see that Government was prepared to throw, or had thrown obstacles in the way of the anticipated Report being laid before the House. It was his firm conviction that to etsablish Poor-laws in Ireland would only add to the woes of that distracted country.

The *Chancellor of the Exchequer* said that, in consistency with the views entertained by the hon. Gentleman who had just sat down, he ought to have abstained from entering into the details which he had suggested to the consideration of the House, because in the greater part of his speech he had spoken against the principle altogether of a system of Poor-laws. The hon. Gentleman said, that it would be better to leave the industrious poor to rely solely on their own exertions, inasmuch as that course afforded much greater security for their industry and good conduct, than would exist if Poor-laws were provided: but the hon. Gentleman himself declared that some qualification was necessary of that broad principle. The hon. Gentleman admitted that, under certain circumstances, the principle he had laid down ought to be departed from, and that it would be wise to provide, at the public charge, temporary relief. Now, if it were necessary, in laying down a general principle, to make so wide a qualification as that, he begged to put it to the House whether it was expedient, under the present circumstances, to affirm a resolution of the nature of the one that had been moved? The question never would be brought before the House in the shape which the hon. Gentleman to whom he had referred imagined, viz.—whether the Poor-laws of England, with the whole mass of abuse that had accumulated round them, should be applied to Ireland. Every one would be prepared at once to negative such a proposition. But the real question was, could they apply the original principle of the Act of Elizabeth to Ireland, and could they accompany that principle with a practical provision to secure against its abuse? That was a question to be hereafter discussed; and he must express his hope, that the hon. Member for Limerick (Mr. O'Brien) did not mean to force them to the negation of that proposition. Had not the hon. Gentleman better withdraw his resolution, than oblige the House to take a course which might imply a negative of his proposition. He thought it impossible for the House to consent to affirm that proposition. The hon. Gentleman asked the House, in the present state of the question, to affirm that it was expedient, without delay, to make, by an assessment on property in Ireland, a provision for the relief of the aged, the helpless, and infirm poor of Ireland. If he did not believe that the hon. Gentleman would withdraw his motion, he should think himself called on to move as an Amendment a Resolution, that leave be given to the Member for Limerick to bring in a Bill on the subject. Such a motion was not usual; but he certainly should have moved an Amendment to that effect, and asked the hon. Gentleman to bring in a Bill embodying his own conception of what the details ought to be. Because, if it were right that without delay they should make a provision for the poor, the hon. Gentleman ought to be prepared to follow up his Resolution with a practical measure, and let the House see the provisions by which he proposed to execute his Resolution. The hon. Gentleman said, that it should be by an assessment on property in Ireland. Did he mean real property, and personal property also? Did he mean a parochial assessment, and that the relief should be distributed by Commissioners, or by parochial authority, or by some authority in districts which he would point out? These were matters of importance, with respect to which the House ought to have some intimation of the views of the Mover, before the hon. Gentleman asked them to affirm his Resolution. He should be sorry to take a course that might appear to be either adverse to the principle or to giving a fair consideration to the subject. The hon. Member for Cork (Mr. Feargus O'Connor) who he certainly thought had been watching with a sort of parental anxiety over the fate of this Motion—an anxiety of which further evidence was afforded by the warmth of the speech he made—had represented that when the proposal was made by Lord Althorp to appoint the Commission, he (the Chancellor of the Exchequer) recommended that the Commission should be extended to every country in Europe. Such was not the fact. It was, however, at his instance that the Commission was appointed for Ireland. He had observed, that there were debates on the subject day after day, and yet nothing conclusive was done; therefore, he suggested that it would be better to appoint a Commission which should go to Ireland, and procure that local and practical information which he thought they stood in need of, and which he must say, he expected the House would have possessed before this time. He certainly should have thought that there was some main and leading principles established which might have been reported before now. But instead of attempting to force the Government by such a Resolution as was proposed, if the House were dissatisfied with the delay in furnishing the Report of the Commissioners, he would suggest to them that the more logical course would be to move that the Commissioners should report forthwith. He did not think that the best way of forcing the Report was to force the House to affirm a proposition which that Report might considerably qualify. Perhaps, the House would not object to leave it to the Government to call on the Commissioners to make a report of their progress; and, if it should turn out that the delay was occasioned by an inquiry into minute matters which did not bear particularly on any great principle, though they might be important in themselves—for example, he did not see that any great principle was involved in inquiries respecting infirmaries or other public charities—if this were the case, he did not think it necessary for the House to wait till the inquiry was complete. Should the inquiries of the Commissioners as to the great branches of the subject be completed, there was no reason why they should not have a Report on the leading principles laid on the Table of the House, which would allow of those principles being taken into consideration, and the consideration of the details might be postponed. The hon. and learned Member for Tipperary said, that if they inserted the words "helpless poor," he was not certain whether they would not affirm this proposition, that every child capable of earning its subsistence by labour should have a claim to support. Now surely it was important to ascertain that. It was important to ascertain what construction was to be put on the words "helpless and infirm poor." There was nothing so dangerous as to affirm a general proposition of that nature, without seeing the regulations by which it was to be carried into effect. The hon. Gentleman said, he would not afford relief generally; he would give it only to those who were infirm; but how were they to draw the line between the infirmity of actual disease and the indisposition caused by scanty living in consequence of not having any employment. The hon. Gentleman's Resolution appeared to imply a claim on the part of the whole poor—it would grow to that; it would lead to all the difficulties that had resulted from a departure from the original principle of the English Poor-laws. At present, he could not judge of the practicability of the Motion before the House. Until some specific mode should be placed before the House, which should honestly administer the proper kind of relief, he never would affirm the proposition now before them. If he did affirm such a proposition, he might be establishing some measure which would absorb the whole of the landed property of the country; he might be constituting an agrarian law of the worst possible description; he might be sacrificing the industrious and moral habits of the people, unless a due regard was had to the wholesomeness of the measure proposed. The hon. Member for Cork had mentioned a moral ground for supporting some such measure, namely, the necessity of teaching the Irish people to eat; but he would venture to say, that to allow them to provide food for themselves by their own industry, would be much better. He would then leave them to unassisted nature, as a better instructress. He hoped the hon. Member (Mr. W. S. O'Brien) would not press his Motion. A Commission having been appointed for Ireland, he had every reason to believe that a Report would shortly be made. Let them have facts sufficient before the House, before they affirmed the proposition. The present course was only calculated to prejudice the question, and for that reason the Motion ought not to be pressed.

Mr. *Finn:* To the statement which had been made, that the poor were supported by the class immediately above them, he would give his contradiction, as also to the statement, that relief was forced by intimidation. He was glad the discussion had been supported with good temper, and considerable advantage would be reaped from it. The proceedings of the Commissioners had been dilatory—from whatever cause he knew not. The House was quite in the dark as to all their proceedings; indeed, it almost seemed as if the Commission had been appointed to prevent any result. He thought, however, it was necessary to wait for the Report before they proceeded further.

Mr. *Wyse* assented to the propriety of waiting for the Report. He had to congratulate the House on the statement made by the right hon. Baronet (the Chancellor of the Exchequer), that he had no objection to the introduction of Bills which would enable them to come to some conclusion before the end of the Session, and from which hon. Gentlemen would judge of the details. The question of the Poor-laws was divided into two parts—one as regarded the sick and infirm, and the other as regarded the able bodied. There were other reasons why he should at present be unwilling to decide upon the nature of the relief. Until some organization was introduced into Ireland—until a general system of education had been established—until the Board of Public Works had been regulated—until the Question of the Irish Church had been fully and finally settled, he, as one of the people, could not consent to any further assessment on the property of the country.

Mr. *Smith O'Brien* was satisfied with the discussion of the question, which no one but the hon. and learned Member for Dublin had contested. He was delighted with the declaration of the right hon. Baronet (the Chancellor of the Exchequer), and he would be extremely glad if the Government would take up the question. Believing he should prejudice the question by now pressing it, and believing that the object he had in view would be aided by the delay, he had great pleasure in adopting the suggestion of hon. Members, and withdrawing the Motion; more especially as he was given to understand, that the evidence would be before the House at an early period. He hoped that the Bill would then be allowed to be brought in and fully discussed at the second reading.

Motion withdrawn.

Roman Catholic Marriages (Ireland).] Mr. *Lynch* moved for leave to Repeal so much of the Act of the 19th of George 2nd, cap. 13 (Irish), as annuls and makes void, all Marriages celebrated by any Popish Priest between Protestant and Catholic.

Colonel *Perceval* was resolved to offer to the proposed measure his decided opposition, and he felt bound at the outset to express his strong dissent. On more occasions than one, he had intimated his objection to any such measure as the hon. and learned Member for Galway contemplated. To such a change in the Marriage-law of Ireland, he felt persuaded he never could become a party. He never could vote for giving to the priest of the Roman Catholic persuasion a power not enjoyed by the clergyman of the Established Church, and he hoped that Parliament could not be induced to sanction a Bill, the immediate operation of which would be to entitle a Roman Catholic priest to celebrate a marriage without the knowledge of the family of either party, and without being under obligation to obtain a previous knowledge of whether there was, or whether there was not, any legal or moral impediment to such marriage being contracted. It was most important that the Marriage-law of Ireland should speedily be placed upon a proper footing, one that would give to no sect any advantage over another. With that brief remark, he should for the present content himself, reserving his opposition for the second reading.

Sir *John Campbell* said, he should be delighted to see one general and uniform Marriage-law for England, for Ireland, and for Scotland—one uniform and general law for the members of the Established Church, and for those who dissented from that Church, of whatever denomination, and in whatever part of the United kingdom they might reside. Until some such law were adopted, great benefit would, in his opinion, result to the community at large from the contemplated measure of his hon. and learned Friend. At one time, the same Marriage-law, the Canon-law prevailed all over Europe, and he earnestly wished that a similar uniformity at least might be established in Ireland; for amongst the many improvements which its institutions demanded, it was very evident that a change in the Marriage-law could not but be fairly reckoned in the number. It surely could not be considered evenhanded justice, that in Ireland a marriage between a Protestant and a Catholic, was considered, however celebrated, a mere nullity. Ought such a condition of things to be for a single day allowed to prevail? It was not so in Scotland; and nothing could be more desirable—nothing more important—than to produce uniformity, and, without loss of time, to get rid of one of the remaining relics of a bad and barbarous code, which treated the Catholic Irish as a servile race. ["*No! no!*"] The laws as they stood not many years ago, did treat the Catholics of Ireland as a servile race. He thanked God, that almost the whole of those laws had been some years ago repealed, but as long as a single exception remained, he should be the earnest advocate of its immediate removal. The more speedily all such laws were got rid of the better.

Mr. Secretary *Goulburn* said, that he had not the remotest idea of what might be the provisions of the Bill. The hon. and learned Gentleman by whom the Motion was made, had forborne to open the details, it could not therefore be in their power to enter into any discussion of its merits. Nothing was more evident, than that they were incompetent to enter into the discussion, for want of sufficient information.

Mr. *Lynch* felt assured, that under the circumstances, there would not have been a word said, but for the remarks of the hon. and gallant Member for Sligo. He hoped that permission would be given to introduce the Bill, and that hon. Members would reserve themselves for the second reading. He fully admitted, that the right hon. Gentleman opposite was not pledged one way or the other.

Leave was given.

MISSION TO PERSIA.] Mr. *Hume* moved for a Return of the Estimates of the expense to be incurred by the East India Company and the British Government for the Diplomatic Mission to Persia, &c.

Mr. *Cutlar Fergusson* said, that the existence not alone of the British rule in India, but also of the peace of Europe, depended upon the obstacle which it opposed to the policy of Russia in the Court of Persia. The only question which could arise on the subject of the mission in his opinion was whether it was sufficiently provided for by the 20,000*l.* which he understood was apportioned for it. He thought that sum insufficient, and he therefore implored his Majesty's Government to increase it, if it were deemed in the slightest degree necessary. He had much pleasure in stating that through the admirable conduct of the individual at the head of the mission the English interest, heretofore little consulted at the Persian Court, was now paramount even to that of Russia; that by his mediation the present Khan was firmly established on the throne of his father, and that through the means of his mission the power of Russia was likely to be greatly checked, if not paralyzed, in that important quarter. As he asserted before, it would be the effect of preserving not alone India to England, but of preserving the peace of Europe.

Mr. *Hume* said, that one of the objects which he had in view in moving for these papers was to question the policy and principle of supplanting the former residents at that Court. British officers long resident in the East, by individuals who had never been in that quarter during their lives.

Mr. *Sheil* said, that Mr. Ellice, the head of the mission, had been a long while in India, and the East generally, and had filled various important stations there. He approved of the election because he thought that the questions to be dealt with were rather of a civil than a military nature.

Motion agreed to.

MALT.] Mr. *Hume* moved, for a Return of the number of quarters of Malt used in distillation in each kingdom, &c.

Colonel *Sibthorpe* did not rise to oppose the Motion, but to remind the hon. Member for Middlesex that he had opposed a Motion of his for a return of equal importance, and to express a hope that he would not oppose it any longer. The hon. Member for Middlesex was the almanack as well as the omnibus of the House—for he had no less than eighteen motions for returns on the list of the night, many of which were of a very expensive character. He hoped the hon. Member's constituents would find no fault with his mode of economizing the public time and public money. As the question alluded to malt he (Colonel Sibthorpe) should read two letters to the House which he had received that morning from two practical agriculturists—one paying 3,000*l.* a-year rent. That was no mean authority. It began thus:—"Dear Colonel—I was glad to see your name in the majority on the Malt-tax. Government must be supported; and I am persuaded the repeal of this tax would have done little or no good to the agricultural interest. From Sir Robert Peel's speech he appears to have formed a correct opinion in regard to the Malt-tax being an inefficient measure of assistance. If it were repealed, the brewers would derive the most advantage, as the shoemakers had on the leather tax." The other letter was to the following effect:—"The annual meeting of the association for the protection of agriculture was yesterday held at Lincoln. I was glad to find that the unanimous feelings of the farmers are, that the tax is best kept on, as it would prove of no service to our distress. The Marquess of Chandos spoke great nonsense and fudge. Sir Robert Peel, as the papers say, was unanswerable." The hon. and Gallant Member concluded by congratulating the House on the division it had come to on the subject of the Malt-tax, and expressing a hope that the hon. Member for Middlesex would not oppose the return he meant to move for, especially as he had eighteen Motions of his own on the paper.

Mr. *Hume* said, that the hon. and gallant Member was in one respect like Jack Falstaff—for he had metamorphosed his seven Motions into eighteen. He had only seven altogether. Two of these seven Motions were designed to prove that the Malt-tax might be repealed without adding a single shilling to the burthens of the country. The gallant

Colonel had, he believed, pledged himself to his constituents on the Malt-tax; therefore he thought as he lived in a glass house he should not throw stones.

Motion agreed to.

Passenger's Act.] Mr. *William Gladstone* moved for leave to bring in a Bill to repeal the Act of 9 Geo. IV., chap. 21, for regulating the carriage of passengers in merchant vessels to the Continent and islands of North America, and to make further provision for regulating the same. The Bill he proposed to introduce asserted no new principle, and merely modified the provisions of the one to be repealed by it. He, therefore, hoped that there would be no opposition to it, especially as humanity and good feeling required some legislative enactment on the subject of emigration. The question involved was one of no small importance to the community. In 1831, the number of emigrants from this country to the Canadas and the Islands was 51,000. He needed not, therefore, impress upon the House that anything which affected the comforts of such a yearly average number was worthy of its attention, especially when it was borne in mind that they were of the poorest condition in the community. In 1828, when the Emigration Bill was before the House, it was notorious that the hon. Member for Middlesex, along with other hon. Members, had opposed it; he trusted, however, that the beneficial results which had arisen from the measure would have the effect of disarming all opposition to the Amendment proposed which was the purpose of his (Mr. Gladstone's) Bill. The provisions of his Bill were comparatively few, and he would give a brief outline of them to the House. In the first instance, it was found that, under the present system the emigrants, during the voyage, and on their arrival, were subjected to a variety of restrictions and expenses, which, as they generally possessed but small means, were, in most cases, destructive to their future prospects. This was one of the abuses which his Bill proposed to remedy. The next provision of the Bill would make it compulsory in owners and masters of vessels to retain emigrants at their option forty-eight hours on board after their arrival. The reason of this provision was to be found in the expense and inconvenience which these poor people experienced on being thrust out like the beasts of the field into a strange place without lodging or shelter. It was therefore most desirable that they should have the privilege of remaining on board the vessel for a period after their arrival, and this period he thought should in no case be less than forty-eight hours. The third provision of the Bill proposed to alter the rates of passengers, permitted in proportion to the tonnage of a vessel. By the existent Act for every five tons register a vessel was permitted to carry four passengers; and for every four tons three. The Bill he proposed to introduce would give only three passengers for every five tons, a number the result of a medium struck between the extreme terms of opposite statements. A ship registered 300 tons was, by the law as it now stood, empowered to carry 225 passengers; the Bill proposed to limit the number to 208, that being the mean between the numbers suggested by Mr. Bonham, our Consul in America, and the London Shipowners' Society. The Bill next proposed to increase the quantity of provisions. Vessels were compelled to carry from fifty pounds of bread per man to seventy pounds. It also proposed to prohibit the use of all wines and spirits, except for medicinal purposes, to the sailors on board these vessels. He then proposed that every ship carrying over one hundred passengers should be provided with a surgeon, and that every craft carrying under that number should be provided with a medicine chest. Next, that the master should be responsible for the contracts entered into with emigrants by the accredited agents of owners, for the reason that much misery had recently resulted from a non-fulfilment of these contracts by agents in some of the outports. It was but justice to these poor people that the owners should be responsible for the acts of their agents; and the master would be the individual most accessible in a foreign country, or even at home. It finally proposed to make the penalties inflicted by the Bill recoverable by summary process before two Magistrates in the country, or in any of his Majesty's colonies. These were the main features of the Bill, and he hoped the House would permit him to bring it in. There were a great number of details connected with the subject, into which he should not enter; but there were two questions in connexion with them which were of some importance. The first was, whether the provisions of the Bill should not be extended to vessels trading between these countries and the United States of America, as he had been informed that some of the grossest cases had occurred in them; and, secondly, whether some mode of surveying vessels as to their sea-worthiness could not be adopted by the revenue officers? He should not refer to any documents, of which he possessed an abundance, to prove the necessity of the measure, as he should assume it would meet with no opposition; but he should merely allude to the returns of the total amount of emigration in each year since the passing of the Act (1828) to be repealed, for the purpose of disproving the arguments then generally adduced against all legislative interference with the subject:—

1828	..	..	12,000
1829	..	..	16,000
1830	..	..	28,000
1831	..	..	50,000
1832	..	..	51,000

In 1833 and 1834, there was rather a diminution, but that was entirely attributable to the improved state of the country. These numbers proved that the passing of the Act had not decreased, as it was asserted it would, emigration from this country; but, on the contrary, materially increased it. He should also beg to refer the House, in support of the necessity of the measure he proposed to introduce to its notice, the Report of the Emigrants' Friend Society for the present year. The hon. Member concluded by making his Motion.

Mr. *Hume* said, that it was true he had opposed the Bill of 1828, because he believed that all minute legislative interference on such subjects was vicious as well as unnecessary. He thought that there were three duties which it was imperative upon the Government to perform. The first was to see that the vessels carrying emigrants were trustworthy, and not what was commonly called coffin ships; the second was to see that the emigrants were protected from imposition by fair contracts with those who conveyed them; and the third was to take care that the vessels had on board provisions adequate to the length of the voyage and to the number of passengers.

Mr. *Baring* thought, that interference in such matters was not desirable except where, from peculiar circumstances, it became indispensable. The enforcement of contracts between the emigrants and those who conveyed them from England was not so feasible as the hon. Member for Middlesex supposed, and in point of fact in very few cases did any contract at all exist. The principle of the grievances to be remedied by legislation was the disproportion between the number of passengers and the space of accommodation. Last year seventeen vessels had been wrecked, and seven hundred lives of emigrants chiefly Irish, had been sacrificed, and the accidents had almost all arisen from improvidence and mismanagement. He thought it the duty of the House to interfere in behalf of those who were so helpless. He knew that it was the habit of the captains of these ships to keep a gin shop on board, so that if the ship was not lost by accident arising from intoxication the little property of the emigrants was sure to be exhausted before they arrived at the place of destination. The right hon. Member concluded by saying that the better way would be to bring in the Bill, and to let the House consider its provisions.

Mr. *Ruthven* protested against the description which the right hon. President of the Board of Trade had given of the condition of the Irish emigrants.

Lord *Sandon* knew that the description given by the right hon. Gentleman was a very correct description of the wretched condition of Irish emigrants. He held in his hand a hundred cases of poor Irish emigrants, all of which fully corroborated the statement of the right hon. Gentleman. He believed that emigrants suffered very much from the too crowded state of the vessels, and from a deficiency of provisions; and he thought that by legislation these evils might be mitigated or altogether removed. It was time that the Government should interfere, and it was only following a just principle of legislation when Parliament interposed for the protection of the weak and ignorant.

Sir *Robert Bateson* on the part of the poor of Ireland returned his thanks to the hon. Member for introducing the Bill.

Mr. *Patrick Stewart* thought that the Bill would be useful in all its branches. He thought that the sea-worthiness of the ships ought to be ascertained by Government officers on their responsibility. He trusted that all the hon. Member's measures would be as useful as this promised to be.

Leave given to bring in the Bill.

Post-office.] Mr. *Wallace* moved for a certain return relative to the hire of Post-office packets.

Mr. *Hume* complained that, notwithstanding a Bill that had been introduced in the last Parliament to facilitate the transmission of newspapers to and from our colonial settlements free of postage, there were charges still made at the Post-office for newspapers arriving by vessels from the Cape of Good Hope and other colonies, although from Canada and other settlements they were delivered free. Now he thought that all our colonies should be on the same footing in this respect. He also complained that Members of that House were charged postage for all the letters delivered to them on Monday over the number of fifteen, although amongst those were the letters that arrived on Sunday, there being no delivery on the Sabbath. Now, he considered it very hard that, in consequence of a Post-office regulation, not to have any delivery of letters on a Sunday, Members should be put to the expense of postage for all letters arriving to them in London on that day but not delivered until Monday. There was a strange anomaly too as regarded this matter, because, although a Member could not receive his Sunday letters in London until Monday, and without paying for them, if he chanced to be at Bath, or any other country town, he might not only receive his letters there on the Sunday, but receive them free of postage. The Act of Parliament distinctly stated, that Members shall receive their letters daily, and he could not, therefore, see why they should be charged for the letters of Sunday any more than those of any other day, although they might be delivered on the Monday.

Sir *Thomas Freemantle* said, that he should be happy to give his best assistance to remedy the cause of complaint set forth by the hon. Member, as respected the transmission of newspapers to and from the Colonies. The hon. Member would admit that the Post-office was not to blame for the Act of Parliament was imperative, and must be strictly adhered to; and, whatever might have been intended by the Legislature, the Act still sanctioned the charge made. If a Bill should be introduced to remedy the evil, he should give it his best attention. With regard to the non-delivery of letters on Sunday, he did not see that the hon. Member had much reason to complain of the anomaly to which he had alluded, because, although he might receive his letters on Sunday, and free of postage, at a country town, he would be charged there for his Tuesday's letters if they exceeded fifteen, for the reason, that no letters were dispatched on Sunday. So that it came to the same thing, there being no country delivery on the Monday. All these matters, however, would, no doubt, come under the consideration of the Commissioners appointed to inquire into the Post-office Department, and the honourable Member had better state his complaint to those Commissioners.

Mr. *Wallace* said, that the Post-office regulations were on a most niggardly system. It never was any wish of his that letters should be delivered on the Sunday; but he had personal reason to charge Sir F. Freeling with the most gross partiality in the charge of postage for letters, and he could call on the hon. and learned Member for the University of Dublin (Mr. Shaw) to confirm what he said. He happened to see that hon. and learned Gentleman one Monday in the library of the House, having before him a huge heap of letters, thirty-two in number, and on his (Mr. Wallace) observing, that he must have had a pretty sum of money to pay that day for extra letters, the hon. and learned Gentleman told him, that he had all the postage remitted to him by Sir F. Freeling, while on that very day he (Mr. W.) was obliged to pay for every letter he received over fifteen. The hon. and learned Member also observed at the same time, that the law entitled Members to receive all their regular number of Sunday as well as Monday letters free. Now, this he (Mr. Wallace) looked upon as a gross partiality. It was also a matter of complaint and great inconvenience that on Sunday there was only one place, namely, the General Post-office, open to receive letters; so that servants and others were obliged to be sent with letters to the Post-office instead of going to church. It had been said by the Duke of Richmond, when at the head of the Post-office, the clerks of the department were too religiously disposed to do any business on Sunday; but it appeared by the report that there were a number of persons employed all Sunday at the Post-office in sorting letters and other business. It was also a most absurd regulation that no letter could be put into the Post-office after seven o'clock in the evening.

Mr. *Shaw* said that he did not deny the accuracy of what had been stated by the hon. Member, as to what passed in the library respecting the receipt of all his letters postage free on the Monday, but he did mean to deny that there was any favouritism whatever towards him on the part of Sir F. Freeling. He had certainly said then, and he said the same now, that the Sunday letters ought not to be charged, and the communication he had with Sir F. Freeling on the subject was strictly formal. Personally he did not know Sir F. Freeling, never, he believed, having seen him in his life. His communication was to the effect that, as the Sunday letters were put into the Post-office on the Friday, as appeared by the post-mark, they ought not to be charged to Members any more than the letters of any other day, and, upon this representation the postage was remitted. He must, however, entirely acquit Sir F. Freeling of the slightest favouritism in doing so.

The return was ordered.

APPENDIX.

Corrected Speeches too late for insertion in their proper places.

LORD GAGE, Feb. 24th, on seconding the Address.

Lord *Gage* said, that he should ill deserve the indulgence which he felt at that moment so necessary, were he to attempt to occupy the time of their Lordships by entering into the detail of public affairs embraced in his Majesty's Speech, and which had been so ably treated in the speech of his noble Friend who had just sat down. His noble Friend had so fully entered into the topics of his Majesty's Speech, and into the affairs of the country, that he had left him little more to do than to declare that he most cordially concurred in the Address, and congratulated the country upon its general state of prosperity. He could not but feel, at the same time, most anxious to express his opinion that the prosperity of the kingdom could be secured only by a line of conduct which recent events made him fear was but little likely to be adopted. This brought him to a point which in his opinion might influence the unanimity of their Lordships' decision respecting the Address. It must be evident to every body that the die was cast, and that a Government was formed under which every man, whether he approved its materials or not, must be content to fight the battle of loyalty and order against anarchy and revolution. It was, as it were, the single plank between them and the ocean, and if they did not cordially unite to keep it in its place the country would sink to rise no more in its present political form. He knew that many persons were aiming at ideal perfection, and were broaching Utopian systems or theories: but he would ask all such persons, whether they had looked at the intermediate state, and reflected upon the dangers that must be encountered, the ruin that must be incurred by their rash and treasonable experiments. Few, he trusted, could be prepared for the ultimate result—few amongst their Lordships could calmly contemplate the destruction of a Monarchy to which their minds were attached by the association of their earliest days; few, he hoped could bear the thoughts of subverting that Church which had been formed by their ancestors, and by the Ministers of which those whom he now addressed had been educated, and to whom they had intrusted the education of their children—a Church which, without trenching upon toleration, had by its learning, piety, and rational doctrines, kept in check the fanaticism of some hundreds of sects. But if, indeed, there were even among their Lordships any that could calmly contemplate these things,—he would ask those cold reasoners whether they had calculated the progressive ruin, the misery, inseparably attendant upon change, as well as the restlessness of mind, and the natural, the unavoidable, weakness and instability of new institutions amongst a divided people? He would ask all such persons whether recent experience had given them any encouragement to hope for a favourable result, and whether they would, for the sake of a mere experiment throw themselves into the arms of the enemies of the Throne, the Church, and the Altar, rather than fight the battle of loyalty for the preservation of a Constitution which, the wisest had pronounced perfect in theory, and which, in practice, had raised England as a nation, to a station so far beyond her natural rank? His Majesty had promised in the Speech of that day to carry on all Reforms as far as reason could justify, and as far as was consistent with the safety of the institutions of the country, and he called on the noble Lords whom he had the honour to address, to rally round the Sovereign, and to resist the mad career of innovator. He appealed to noble Lords, whether they would refuse to answer the call, or hesitate to express their attachment to the Throne, acknowledging in deed as well as word, his Majesty's just prerogatives, assuring him of their continued loyalty and attachment to institutions they had so often sworn to defend. The Speech which they had heard that day was so thoroughly void of offence that for his part he could not imagine any one taking a rational exception. He would ask any man that was an honest and sincere Reformer in his heart, and not a revolutionist, what would he have? A Reform King had urged to the utmost extent all practicable Reforms; only with the added facility of carrying them on through instruments so recognised as conservative, that they could do so, without creating the same jealousy for the safety of institutions, they might see cause to attempt amending. He felt sure, that no rational and honest Reformer could oppose a measure of Reform because it proceeded from a Conservative Administration. It might be asked, could his Majesty's present Government satisfy the people? All he would say in reply was, that if they could not, nothing but the bloody lessons of revolution could. Did legislating Reformers know, or would they know, what the mass of the people expected from, indeed meant by, Reform! it was no more nor less than the production of better times, less to pay! more to receive! and it was therefore, and not from any doubt of the most honest and zealous endeavours on the part of his Majesty's Ministers, that he hesitated to say they would satisfy the people. He would explain:—Since the peace, the burthens of the country had been reduced to an immense amount, by Tory Governments. He would admit, for he was disposed to give full credit to the noble Lords opposite for what they had done in that respect, that the late Government had done all in its power to reduce the burthens of the country. But were the people satisfied? He believed not. Who, then, could now make an honest promise of relief? Were the people to look for it, from a reduction of the pension list, or other such nonsense as they were taught to clamour for? His Majesty's present Government had given promise of every reduction which could be fairly made, and of every measure which the circumstances of the country could require; but it would, he contended, be impossible even for Government to be carried on so as to satisfy the expectations alluded to. He begged noble Lords to reflect that the choice lay between his Majesty's present Government, and one of a directly revolutionary character. There was no medium. Between these extremes the people had to make their choice. Let then their Lordships so act as to make them rightly aware of what they had to choose between. The question was, would they have the principles of Sir Robert Peel or those of that most honest (for he was honest with respect to avowing his principles) Reformer, William Cobbett? The choice must be on one side or the other. Let noble Lords reflect, that, the artificial power of England once destroyed, could never be restored in the face of present Europe. He trusted, then, that they would not let it be said of us in after times, as the Poet had said of Greece:—

> "Twere long to tell, and sad to trace
> Each step from splendour to disgrace—
> Enough! no foreign foe could quell.
> Thy soul, till from itself it fell.
> Yes! Self abasement paved the way
> To villain hands and despot sway."
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> BYRON.

Mr. Richards, Feb. 24th, on the Address.

Mr. *Richards*:—Sir, if the hon. and learned Member for Ripon thought it necessary to apologize to the House for rising so early in the debate, much more is it fit that I should beg pardon for presenting myself to its notice. But when I state that I have the misfortune, upon this occasion, to differ in opinion from some of my constituents, I must entreat the indulgence of the House whilst I endeavour shortly to explain my reasons for voting in favour of the Address. There is not, I confess, anything in the terms of the Amendment proposed by the noble Lord, the Member for Yorkshire, from which I much differ; and in some parts of it I cordially concur. But I cannot help seeing that the object of that Amendment is, to occasion, if possible, the dismissal of his Majesty's present Ministers. And feeling, as I do, that such dismissal, at this moment, and in the present state of political parties, would be, in the highest degree, injurious to the best interests of the country, I am determined, in spite of all obloquy and censure, to vote against the Amendment.

Sir, the question at issue is, as it appears to me, whether the welfare of the country will be best promoted by a Whig or a Tory Ministry?

We have been disappointed in the Whigs. When, by means of the people, they obtained power, we confided in their loud and vehement protestations of patriotism. We wished to find them sincere; and we believed that they were so. Our hopes have not been fulfilled. Possessed of office, and secure, as they thought, of the support of the people, they considered it their interest to propitiate the Court and the oligarchy. By the most vexatious restraints and restrictions, they endeavoured to pervert the Reform Act, and to make it a means of strengthening their own party. It was justly expected, that the fruits of the Reform Act would be the extension of civil and religious liberty—the repeal of all those taxes which press heavily on the industrious and laborious classes—the abolition of sinecures and pensions, except those bestowed for acknowledged public services, the strictest economy of the public money—and a shorter duration of Parliaments. Have the Whigs fulfilled these expectations? No. Parliaments are still septennial; the pension and sinecure list still stares us in the face; and the taxes on the active part of the community still weigh down industry and paralyze exertion. Where are the promises of the Whigs to the Dissenters? It is true, that the Whigs brought in Bills professedly for their relief. But were not these Bills a cruel mockery? Did not these self-styled friends of religious liberty, 'keep the word of promise to the ear, but break it to the hope?' These Bills were based on no recognised principle; and they were, indignantly, rejected by the Dissenters themselves. But there was one object which the Whigs had long boasted, if they should obtain power, that they would accomplish—the tranquilization of Ireland. Have they redeemed their pledge? They sent over a Commission to inquire into the state of the poor there! To inquire into that which all the world knows! To inquire about facts which, if they were not notorious, are, all of them, elaborately and fully stated in the Report of the Select Committee of the House of Commons in 1830! And what was the object of the Whig attempt to amend the Poor-laws in England? Why, as the ex-Chancellor acknowledged, in order to lower the rate of wages, and thus keep up rents!

Sir, the Tories are now in office; but under circumstances widely different from any that ever before occurred in this country. The Reform Act has given power to the people; and circumstances alter cases. What? Do hon. Gentlemen dissent from this proposition? Whence then the sort of political *millennium* that prevails on this, the Opposition side of the House; in which the wolf lies down with the lamb, and the lion with the kid? I cannot forget that, but a short time ago, the hon. Members who sit near me were engaged in hostile conflict and gave expression to the bitterest political feeling towards each other. I do not mean to blame those hon. Gentlemen for joining, as they appear now to do, in harmonious concord. But, being myself neither Whig nor Tory, and belonging to no party but the party of my country, I am bound on this occasion, as upon all other occasions, to pursue such a course of conduct as shall seem to me most likely to conduce to the happiness and safety of the country. I have said, and I repeat, that circumstances alter cases. Before the Reform Act, it was manifestly the interest of the Ministers for the time being, to conciliate the views and inclinations of the owners of boroughs; and I ask, whether the Whigs did not pursue that course to as great an extent as the Tories? Now, looking to the altered circumstances occasioned by the Reform Act, and to that great principle in human nature, which leads men to consider what will best conduce to their own individual interest.——Do the hon. Members who laugh at this, mean to say that they take no enlightened view of their own interests? Do they mean to say, that they are not actuated by an enlightened desire to promote the interests of the country? By no means. Then I claim credit for Ministers for being actuated by a view to their own interests, which are identified with the interests of the country, of which they form an important part.

Under existing circumstances (I was about to say) it is evident that Ministers must look to the interests, or the supposed interests, of the several constituencies. And I firmly believe, athough the present Ministers opposed the Reform Act, they will, now it is the law of the land, consult the public interest, and that alone, in any measures which they may bring under the consideration of Parliament. Henceforth, no Minister, be he of what party he may, except, perhaps, the Whig party, who, in the construction or manufacture of the Reform Act, took special care to give a preponderance to their own party in this House, can be insensible to the feelings and wishes of the people. It is true, during the two last Sessions of Parliament, when the Whigs were in possession of power, that they dared (I use the word respectfully) to act in defiance of the wishes and feelings of the people; and by so doing alienated from themselves the good opinion of this House and of the country. Although, of late, owing, probably, to the sympathy which mankind feel for persons in misfortune, the late Ministers have obtained a good deal of support, it is quite certain that when they were Ministers of the Crown, they acquired for themselves the dislike of the people. It now suits the Whig party to talk loudly of Reforms. They are a Janus-faced set, and can turn any way to suit their own convenience. When they were in office, and on the opposite side of the House, they talked as loudly against Reforms as they now declaim in their favour. Is it not notorious, that in the last Parliament, they opposed, in the most strenuous manner, almost all the measures which were brought forward by Gentlemen whom I see around me? I beg to ask the right hon. Member for Lambeth, whether they did not oppose his Motion for triennial Parliaments? Did they not oppose the Motion of the hon. Member for London, in favour of the ballot? And that of the hon. Member for Southwark, for a revision of pensions and sinecures? Now they have joined the parties whom they before opposed; whether on an understanding that they will, in future, support these measures, or from a desire to occupy the places of the right hon. Gentlemen opposite, I will not determine.

But, here, I may be asked, what I expect from the present Ministers? Now, looking at their high character for talent, and their undoubted integrity—considering that they have never shewn a double face, at any rate, knowing that they possess the confidence of the Crown and the Aristocracy, but not that of the House of Commons to so great a degree as their predecessors—I would ask whether their interest, as Ministers, does not require them to conciliate the favour of this House, and to grant to the country all those measures of reform which can safely be conceded? I do not hesitate to say, that the present Ministry must, *ex necessitate rei*, grant measures of reform. For my own part, I would rather see the Whigs in their present situation, acting as "his Majesty's Opposition," than as his Majesty's Ministers. If the Whigs should again obtain possession of power, they would be weak as regards the Crown and the Aristocracy; and, therefore, they would, as they did before, curry favour (to use a common expression) with those parties, and beard the House of Commons and the people. Did I hear the hon. and learned Member for Dublin say "No?" I perfectly recollect having heard that hon. and learned Member characterize the measures of the late Administration, with respect to Ireland, as "brutal and bloody." There is now, it would seem, an alliance between the Whigs and the hon. and learned Member! A sort of holy alliance! I should like to know the secret articles of that alliance. But not only did the learned Member for Dublin denounce the late Ministry. Hon. Members around me cannot forget the language which was constantly made use of on this side the House, against the late Government. Did not the hon. Member for Middlesex repeatedly declare, that he had much rather see the Tories in office than the then Ministers? Well, then, he now has his wish, and I call upon him, as he values his own consistency, to vote for the Address. For my own part, I am disposed to believe, that the right hon. Baronet opposite will grant all such reforms as can be safely granted. He will, at least be consistent, and not blow hot and cold—now bawling loudest in favour of reforms, and anon all but denouncing those who endeavour to effect them.

Sir, I wish to point out to the House the consequence of adopting the Amendment. In that case, Ministers would, probably, give in their resignation. Some hon. Gentlemen seem to applaud that suggestion; but I would ask those Gentlemen what materials they have wherewith to form another Administration? It is impossible to establish an unmixed Whig Government such as that which before existed, and which had lost the confidence of the House and the country. Is it, then, possible to form a Government by the union of Whigs with those persons who are usually denominated Radicals? Whatever concord may exist between those two parties, at present, with respect to the single object of procuring the dismissal of the present Ministers, it is hardly possible to imagine anything more discordant (supposing they should effect the object they have in view) than the sentiments which would prevail amongst them. Do hon. Gentlemen say "No?" I ask whether such a state of things could fitly be compared to anything but chaos itself?

> Frigida pugnabunt calidis, humentia siccis
> Mollia cum duris, sine pondere habentia pondus

Who would be the leader of the new Government?

> Where each prevails by turns, he rules awhile.

Sir, it is my conscientious opinion, that the dismissal of the present Ministry would entail on the country the most signal calamities; and, believing this, I should be unworthy of a seat in this House, if I did not manfully say so. Although I am a reformer—I beg to tell those who cry "No!" that I have been a reformer for upwards of twenty years; and that I wholly disregard the endeavours of those who would brand me with the name of anti-reformer, because I will not join in the factious attempt to turn out the Ministry. I wish to see such reforms introduced and adopted as will conduce to the happiness and well-being of the country, and no other. I am not for revolution! I have no desire to see a state of things arise that would compromise the safety of persons and of property. If that be reform, then, indeed, I am not a reformer.

Sir JOHN CAMPBELL's Motion, March 4, on Imprisonment for Debt.

IMPRISONMENT FOR DEBT.] Sir *John Campbell* rose, pursuant to notice, to move for leave to bring in a Bill "to Abolish Imprisonment for Debt, except in cases of fraud, and to amend the law of Debtor and Creditor." As the law at present stood in this country, power was given to any individual member of the community, over the liberty of another, who might, without the order of a Judge, or the decree of any court, be deprived of his liberty, thrown into gaol, and subjected to the greatest, the most cruel extortion. This was a power not belonging to the ancient common law of the country, but which was introduced by statute long after the common law had existed, and which was not found in equal severity in France, or any other country on the continent. It was, moreover, a power, which, being lodged in the hands of all men indiscriminately, was in an especial degree, liable to be abused. He would take the liberty of illustrating the nature and severity of the present law, by stating to the House a remarkable case which had come under his notice, and which was only a few days ago tried before the Lord Chief Justice of the King's Bench (Denman). In the course of the summer of last year, a foreigner of distinction, the Duke de Cadaval, arrived in this country, accompanied by his wife and family. Landing at Falmouth, he took lodgings there. Shortly afterwards he received a letter from a person named Collins, which recounted great services done to the Duke, and intimating that his claims were considerable for these services. The Duke shortly afterwards received another letter demanding payment of the money alleged to be due, and threatening proceedings in case of non-compliance. The Duke was much alarmed; but, not complying with the request, Collins swore an affidavit of the debt, stating it at 10,000*l*., went down to Falmouth, accompanied by a sheriff's officer, who arrested the Duke, Collins giving, or promising to give, the officer 50*l*. for making the caption. The Duke being much distressed at the prospect of a gaol and separation from his family, and being a stranger to the language and laws of the country, agreed, under the pressure of these fears, to give the plaintiff 500*l*. as present payment, which sum he obtained from the Portuguese Consul, and actually handed over in sovereigns in a bag to Collins, to be permitted to go out of custody; and the terms were drawn up in the shape of an agreement, by which it was stated, that the 500*l.* was part of a sum of 16,200*l.* which the plaintiff claimed, and the action was to proceed in its usual course as to the remainder. Subsequently the Duke brought an action against Collins, and had the satisfaction of recovering the 500*l.* so fraudulently extorted from him; but, in the mean time, Collins had spent the whole, and was insolvent. Was not that a state of the law which demanded the serious consideration of the House, with the view of adopting some change which should give greater protection to the public. He could state to the House from the Returns which had been made of the money spent in connexion with the present law of arrest, and proceedings consequent thereon, that there was the enormous sum of 300,000*l.* annually expended in bail. These funds, which ought to be distributed among creditors, were idly spent among sheriffs' officers and their followers. He would state another consequence resulting from the present law; the cruel creditor who disregarded the feelings of his debtor had the priority, and had thus an advantage over an indulgent creditor, who had a reluctance to resort to harsh proceedings. The harsh creditor swept away the whole of the debtor's property, and those who exercised feelings of kindness and indulgence had no remedy left them. The law, therefore, operated as a bounty for harshness and cruelty. The remedy he proposed for this was to abolish imprisonment, unless, indeed, it should appear that the debtor was attempting an escape, when he should be compelled to give security. This would deprive the creditor of an opportunity of committing an injustice on his debtor without diminishing his remedy. By the present law there was this difficulty in the way of creditors. Suppose a creditor at Liverpool wished to proceed against a debtor who was about to go abroad, he must send up an affidavit of the debt to London, which must again be sent down to the country, by which lost time the debtor may have escaped by the sailing of the vessel. He would propose as a remedy for this, that, on an affidavit being made of the debt and circumstances, a magistrate on the spot should have power to grant a warrant against the debtor, whom the creditor should keep in custody until he could give security. According to the present law, be the debt ever so small, the debtor could be immured in gaol, instead of being allowed to exert himself for its payment. His person might be enclosed within the walls of a gaol, but such imprisonment did not enable the creditor to get at the property of his debtor. The miserable consequence of this was, that our gaols were filled, the debtor became acquainted with vice and misery, and his mind was contaminated by the prison associates, with whom he was compelled to mingle. He would give the creditor, therefore, power to reach the property of the debtor, but not to inflict the evil he had described. There was another evil in the present law of arrest—it made no distinction between the honest and the fraudulent debtor. The unfortunate honest man who could not fulfil his engagements, was no better off than the man who could, but would not, pay. He should, therefore, propose, that, unless there was fraud, or the debtor refused to disclose his property, or absconded, his person should not be molested; but if there were fraud, then the creditor should have the power to take the body of his debtor in custody. He was aware that creditors would not be willing to give up the advantage of arrest without an equivalent; by the present law a creditor only got indirectly at the property, but he would propose, as an equivalent, speedy judgment—speedy execution; and that all property should be taken for the satisfaction of the creditor. In the case of bonds, bills, promissory notes, and instruments to which any one may have solemnly set his hand, there was great delay in proceedings when the creditor might need immediate execution. Why, after a bond was executed should the creditor be put to the expense of a trial? He would propose that after a certain number of days the creditor should have the power of having an execution against his debtor. He next proposed that the creditor should be enabled to compel the debtor to surrender his property. By the present law a debtor might be taken and imprisoned, but he had the privilege of taking lodgings in the Rules without the prison, where he might live despite of his creditors, and waste his substance which ought to be applicable to the payment of his debts.—And with respect to this there was a strange law, that if the debtor were in execution for a sum under 300*l.* he might be compelled to surrender his property, but if above that sum, then he could not be made to surrender it; when, indeed, the very circumstance of the large sum rendered it more proper that the property should be made applicable to the payment of his debts. He would propose to give a power to the creditor to summon the debtor before a judge, and on cause shown, the debtor to be compelled to assign over a sufficient proportion of his property for the payment of his debts. By the law, as it at present stood, if a man were indebted to the amount of one hundred thousand pounds, and became bankrupt, he could not be imprisoned unless fraud were proved against him; but when a man owed only 40*s.* he could be immured in a gaol and there kept, when the larger debtor escaped with impunity! he did not see why this should continue. His next measure was, that all the property of a debtor, property of every description, should be made subject to the payment of his debts. At present, if a debtor were possessed of ever so much money, it could not be taken by any proceeding. If a debtor possessed 10,000*l.* in Consols, or in bonds or bills, they being choses in action, could not be taken under an execution. If he possessed land, the creditor could only take one half, and, afterwards, another half of the remaining half, and so on; but he never could at once take the whole. Copyhold land was entirely protected from judgments, and he could see no earthly reason for the distinction. Thus, therefore, though a debtor might be possessed of large copyhold property, he could, if he thought proper, keep the whole from his creditors. He proposed that all funded property should be made subject to debts. Under the existing law, if a man possessed 10,000*l.* in the Three per Cents., he might go abroad, there receive his dividends, and leave his creditors unpaid. There was no law to prevent his doing so. It was true, that a Court of Equity would prevent the transfer of property in the funds by a fraudulent creditor but he might enjoy the full proceeds of his dividends with the most perfect impunity. He, therefore, proposed to make copyhold and funded property, and money, bonds, and bills, all liable to execution. While thus looking to the interest of the creditor, he would not overlook those of the debtor. He would propose to allow him to make a *cessio bonorum*, without being driven within the walls of a prison. Suppose an unfortunate debtor was obliged to take the benefit of the Insolvent Act, though he be freed from arrest and imprisonment, yet all the property that he subsequently acquired was, by the present law, liable to the payment of his debts. He would propose that, if the property of the debtor were not sufficient to pay the whole of his creditors, he might, by a declaration of his insolvency, a surrender of his property, and an equal distribution, be enabled to procure a certificate of entire discharge, and be enabled to commence the world again unshackled by continued claims. Need he say the consequences of imprisonment were of the worst possible description? it was always pernicious to morals—a man never went into prison without being contaminated by the society he found there. The practice was productive also of this bad consequence, that the debtor, in the face of great expenses, was induced to collect monies and property of which he defrauded his creditors, for the purpose of maintaining himself in prison, and paying the expenses of his discharge. The returns made of the average amount of dividend paid upon the estates of all persons passing through the Insolvent Court, shewed that those estates did not pay more than one farthing in the pound. And he felt quite sure, that if the debtor were, instead, declared insolvent, and his property promptly and equally distributed, the same debtor who paid under the present insolvent system one farthing in the pound would pay a respectable dividend; and it might be allowed that, if the creditors were satisfied with the conduct of the debtor, they might give him a certificate to enable him to begin the world again. So much for the debtor when honest in his transactions; but if a debtor should conduct himself fraudulently, he thought he ought to be punished accordingly. He would have it declared a misdemeanour when a man absconded from his creditors; he would have it made a misdemeanour when a man refused to disclose his property after judgment; he would have it a misdemeanour for a man fraudulently to convey his property, or to dispose of it amongst his friends; he would also have it declared a misdemeanour for a man to obtain goods, under the false colour of carrying on trade. When two or three persons acted together in accomplishing some fraud, they could be punished for a conspiracy; but when there was only one person, who, though he might pretend to be in affluent circumstances, and obtain on that ground a large quantity of goods, and dispose of them, yet—however absurd it might appear, and however criminal his conduct—there was no punishment for such injustice. Although a great change would thus be made in the law, he was of opinion that a considerable majority of the public was against the continuance of the present system. The learned Commissioners who had sat upon the inquiry on this subject, agreed that a change must be made. What he meant to propose was, that the Bill after being read a second time should be referred to a Committee up stairs, who would be more competent to go into the important details than he could at that moment; and he trusted that his hon. and learned Friend, the Attorney-General would allow his name to be added to those of the other Gentlemen, who might sit upon the Committee; and, for his part, he would willingly give the Committee his best attention on the various details which would be there better discussed. He knew the people took a deep interest in the matter—he had received hundreds of letters from all parts—he had received memorials without number, and deputations from different public bodies. He hoped the House would allow him to introduce the Bill, and, on some early occasion, to read it a second time.

Mr. SPRING RICE, March 10, on the Malt Tax.

Mr. *Spring Rice* felt that, connected as he had been with the noble Lord who lately presided over the finances of the country, and with the arguments and discussions which had taken place on this subject from time to time, he should forfeit any claims he might have on the respect and confidence of his private friends as well as depart from his own sense of public duty, if he hesitated for one moment in making precisely the same stand now against the Repeal of the Malt-tax as he had on a former occasion. Noble Lords might indulge themselves, if they thought fit, in attributing motives of faction to the past conduct of the Whigs—hon. and right hon. Gentlemen might, if they thought fit, deal out the hard language of invective upon himself and his friends—they might call them the offscourings of a party, and the sweepings of public offices, as the right hon. Gentleman the President of the Board of Trade had thought it convenient to do in their absence. [Mr. *Baring:* Does the right hon. Gentleman allude to me?] He certainly imputed the expressions he had used to the right hon. Gentleman; they were contained in the report of a speech delivered by him on the hustings in the county of Essex. He should be extremely happy to hear them contradicted, for they had, he confessed, as proceeding from that right hon. Gentleman, given him individually very considerable pain. Any explanation, therefore, would be received by him from the right hon. Gentleman with the utmost frankness—nay, with the utmost gratitude [Mr. *Baring* wished to be put in possession of the precise words imputed to him.] He was in possession of the very words, and they dwelt so accurately in his memory, that he had no difficulty in repeating them. The right hon. Gentleman might, therefore, have the opportunity of taking them down. On the occasion alluded to, the right hon. Gentleman was represented as having designated the late Government, of which he (Mr. Spring Rice) had the honour to form a part, as the miserable offscourings of a party, and the sweepings of the public offices. Now, he took the liberty of informing him that from those offscourings of party, and from those sweepings of offices, the right hon. Gentleman should receive, on the present occasion, an honourable and disinterested support. Such was the reply he was prepared to give to the noble Lord who had attributed to them factious motives. He felt deeply interested in the decision to which the House would that night come; and he was the more interested in the decision of this question, because he had not forgotten the arguments, similar to the taunts of the noble Lord, which had been used by those who now sat upon the Treasury Benches, against any combination upon particular questions between individuals, or parties, who might have occasionally or frequently differed in opinion upon political subjects. He could assure the right hon. Baronet that there was no hazard by reason of those tenets of his losing his vote, and he thought he might add, the votes of those who upon all occasions coincided with him in opinion. He would further say, that there was no one within the walls of that House who looked forward with more cheerful anticipations to the result of the vote upon this Question, and that there was no one who entertained more sanguine anticipation that the right hon. Baronet's Resolutions would be sanctioned by a large majority—a majority, too, which he felt convinced would vindicate the character of that distinguished party to which he was proud to belong, from all the imputations of acting from factious motives, the charge of late so frequently urged by those who sat upon the Treasury, against those occupying the Opposition Benches. How, he would ask, could those who raised this objection and maintained that a difference in political views upon certain questions, precluded the possibility of men or of parties voting together on subjects where they agreed upon any subject —now come forward and claim his vote and the votes of his hon. Friends in support of a Government in which he was unable to profess confidence, and upon a question where the majority would be made up of Whig votes? He, however, altogether differed from those who laid down a principle so fallacious as the guide by which the conduct of public men should be directed, and he, therefore, felt no hesitation in giving to the right hon. Baronet opposite, his cordial, earnest, and sincere support upon this question. But, however attacked for acting with men from whom he differed, the correctness of his opinion upon this point had been admitted, practically, upon various former occasions, and upon one not analogous to the present —namely, when the noble Lord opposite (the Marquess of Chandos) introduced his Motion last Session, for the relief of agricultural distress. Upon that proposition, those who held upon other questions the most opposite views, the Tories and the Repealers, were found voting on the same side; and yet, on many late occasions it had been asserted that combined action against an Administration which both parties distrusted, was nothing short of an outrage upon principle, and actual treason against political integrity. It was, he recollected, well declared last Session by a right hon. Gentleman (the Chancellor of the Exchequer), that he felt himself compelled to vote with those who advocated doctrines which he repudiated—doctrines founded upon the violation of those principles upon which he had always acted, but that he would be ashamed of himself if any scruple of that description could prevent from taking that course which the plain dictates of public duty pointed out. Such were the opinions expressed at that time by those who now appeared to consider the coalition of opposed parties upon certain questions as the acme of political iniquity. He was the more anxious that this fallacy should be exposed as speedily as possible, because he knew that there were many hon. Members who would vote against the Motion of the noble Lord, if they were not deterred from doing so by a fear, that if they acted in that manner they would be affording support to a Ministry whom they distrusted. If the Members of the present Administration were prepared still to act upon the principle which they had formerly advocated, and to which he had called the attention of the House, they were bound to spare their taunts, and to respect the motives of those hon. Gentlemen to whom he referred; but he was sure, that those reproaches, if repeated, would not receive the countenance of the House, because the doctrine out of which they originated was unquestionably erroneous. Those Gentlemen ought to forget former jealousies, they ought to forget every thing but the principles laid down in the speech of the right hon. Baronet; and as those principles coincided, as he believed, with their opinions, they ought not to hesitate to give him their support. The right hon. Gentleman had argued the question in so clear, convincing, and conclusive a manner, that no one who could understand the force of reasoning, or the application of facts, could fail to be persuaded of the expediency and justice of the course which he had recommended to be pursued. The speech which the right hon. Baronet had delivered, had left him but little to touch upon; but he hoped he might be permitted to remark, that there were a few words uttered at the commencement, and towards the conclusion of his speech, which he could not consider altogether unobjectionable, inasmuch as they appeared to convey an opinion, that his opposition to the noble Lord was given, not upon the broad and abstract merits of the question, but upon reasons which were suggested only for a temporary object, at the present period before the close of the financial year; and, consequently, previous to the introduction of the annual financial statement. He was convinced, however, that the opinion which the right hon. Baronet might, from this limitation of his argument, appear to entertain, would be unfounded, and that the support which he might receive, would be given, not on temporary, but upon solid and permanent, considerations. He, for one, could fearlessly assert, that his vote should be so given; and the arguments of the right hon. Baronet, which comprehended, or rather decided, the whole question, only strengthened and confirmed the conviction at which he had previously arrived. He therefore wished it to be understood, that he took this course, not only because he had been a Member of that Government which, upon previous occasions, had resisted a proposition similar to that of the noble Lord, but, also, because, if he had never before voted upon this subject—if now, for the first time, the question were broached—still, upon the grounds stated by the right hon. Baronet, he could never consent to the sacrifice of so large a portion of the public revenue as that which must result from a compliance with the Motion of the noble Lord. It would not be safe to adopt such a course, even if there were a fair chance of finding a substitute for the tax which was proposed to be abolished; but was there, he would boldly ask, a single individual within the walls of that House, who could reckon, with any approach to confidence, upon the possibility of finding a substitute, if the Malt-tax were repealed? There was a subject closely connected with the object of the present Motion, which he was surprised had not been alluded to in the course of the debate, and which he thought ought to have some weight with those connected with the landed interest, in the consideration of the question of the Repeal of the Malt-tax. The question to which he referred was, that of the Corn-laws. Before hon. Gentlemen committed themselves on the present Motion, he thought it would be well, if they were to revert to the votes upon the question of the Corn-laws; or, at all events, if they were to read the arguments which had been used on those occasions, and consider how many of the arguments urged against the repeal of those laws, rested upon the assertion that the land was subjected to many and peculiar burdens. With what grace could those country Gentlemen, who should vote for the noble Lord's Motion, which went to relieve the land from one of the peculiar burdens which now pressed upon it, come down to the House hereafter and vote against the Motion of which he believed the hon. Member for Middlesex had already given notice, and by which it was intended to deprive the landholders of a monopoly which could only be defended upon the ground, that the land-holders were exposed to severe and peculiar burdens. It was only yesterday that a petition was presented, containing the modest request, that the House would, at once, grant the total abolition of the Malt-tax, and a great increase in the protecting duties on foreign corn. There was a palpable contradiction in principle, amounting to an absurdity, in such a demand. The right hon. Gentleman (the Chancellor of the Exchequer) had, he repeated, anticipated everything, not merely which he could urge, but which could require to be offered by others in support of his resistance to this Motion. There were, however, one or two points in which he did not seem to carry out the principle upon which he argued, to the full extent to which he was warranted by facts. The right hon. Gentleman had, it is true, adverted to the reductions which had already been effected in the duty upon malt; but, in doing so, he had only compared the present state of the duty payable on malt, with that which existed previous to the passing of the Beer Bill. Let the House, however, observe the reductions which had been effected previous to the periods to which the right hon. Baronet had directed their attention. Now, from the year 1804 to 1817, the duty on the quarter of malt was 3*l.* 6*s.* 7*d.*; and, up to the year 1830, when the Beer Bill was passed, the duty on the same quantity was 2*l.* 12*s.* 7*d.* And the total diminution which had been effected during those periods, amounted to no less than 2*l.* 5*s.* 11*d.* the quarter. This was an additional argument against the further reduction of a branch of taxation which had already been diminished. He could have no doubt as to the result of the division; he could entertain no doubt that, in resisting the proposition of the noble Lord, Members of the late Government, would prove that they were swayed in their conduct by no factious motives, but that they were directed alone by an attachment to those principles which they had formerly professed. The hon. Member for Oldham used the same arguments against any coalition on the part of those who differed in opinion, as those which were urged by the Gentlemen who occupied the Treasury Bench; but, he could assure the hon. Member, that, if he brought forward any question which he could honestly support, he should have his vote with as much readiness as he now gave it to a Government who, on the present occasion, pursued the only course which, upon every principle of justice and of duty to his country, he felt compelled to sanction. The only ground of alarm which the Ministry could reasonably apprehend referred to the pledges which had been given on the hustings. He believed, that these pledges might have been honestly given in some instances; it was possible that some of them also had been given in ignorance. [*Loud cries of* " *Oh, oh!*" *and Laughter.*] He repeated, that it was very possible some of these pledges had been given in ignorance; but this, he felt, was an excuse which could not be acquiesced in by the constituents of those who were now about to vote in the teeth of those pledges which they had given to their constituents on the hustings. Ignorance could not be an excuse. This was no new subject. Gentlemen who aspired to become Members of Parliament were bound to understand what the Malt-tax was; and when men of character, station, and independence came forward as Whig candidates, and refused to pledge themselves to a measure which they saw no possibility of being carried into execution, those who defeated them by taking an opposite course, had no right, consistently with an adherence to justice and political truth, after carrying their elections triumphantly by inscribing on their banners "No Malt-tax," when they came to vote in Parliament, to plead ignorance of the nature of the pledge by making which, they had succeeded in obtaining their seats. He could never approve of that deviation from principle which must be committed by those Gentlemen if they acted in the manner which was contemplated; he hoped that the truth might be conveyed to the public; he would certainly have the question put, and an answer demanded and returned at the hustings hereafter, and that men should be made responsible for holding out expectations which as Representatives, they found it inexpedient to realize. The delusion on the subject of the Malt-tax was, previous to the last election, extended throughout the country. The Whigs—that party with which he had always the honour to act—were stigmatised as the enemies of the farmers, and their opponents lauded as their steady and faithful friends. Let the constituency of Derbyshire be taught that, as far as the Malt-tax was concerned, one of their Candidates was as true a friend to the farmer as the other. In noticing the delusion which prevailed upon this subject, he could not help referring to a circular which had been put forth by the supporters of the right hon. Baronet previous to the last election, and which claimed for the Tories the support of the farmers at the approaching election. The address to which he alluded, was in the following words:—"Farmers of England! look to your Representatives!—Recollect, a Knatchbull for Kent, out of office, voted for the Repeal of the Malt-tax; a Baring, for Essex, out of office, voted for the Repeal of the Malt-tax; a Lincoln, for Notts, out of office, voted for the Repeal of the Malt-tax; an Ashley, for Dorset, out of office, voted for a Repeal of the Malt-tax; Murray, for Perthshire, out of office, voted for a Repeal of the Malt-tax! Farmers of England! look well to these official Gentlemen, and now that they are in office, take care they do not change their votes; but let them prove their consistency, as Lord Chandos has done, by voting with him, as they did before." He begged the House to understand, that he did not make any allusion to those points for the purpose of pinning hon. Members to the opinions which they might have expressed on the hustings. If these sentiments had been unwisely or ignorantly stated, Members were bound to adhere to that which would most promote the public interest, and secure the confidence of the public; but he hoped that never again would they venture to unfold the blazing oriflamme on which the words "No Malt-tax," were inscribed. He felt he could add but little to what had already been so powerfully, so eloquently, so conclusively urged, from the other side of the

House; but, if amongst any hon. Gentleman, misgivings still remained, he should refer them to the authority of a speech made upon a subject not analogous to the present—it was a speech proceeding from what he had been accustomed to esteem a very high authority, a speech made upon a practical question—one involving principles of fair dealing, good faith, and public credit. He admitted that the authority to which he referred, went further than was necessary for the purposes of the present argument; it went beyond what he now contemplated; it required that a large surplus revenue should, if possible, be maintained, with a view to the purposes of a sinking fund. Though the general argument might not be precisely applicable to the present case, yet the particular observation was so closely analogous, as completely to serve the purposes of his argument. In 1830, a right hon. Gentleman, of great weight in commercial matters presented a petition from the city of London,—he hoped that that petition still remained amongst the records of the Board of Trade. The right hon. Gentleman, at that time Member for Callington, entertained opinions which, it was to be hoped, still survived, and which he trusted to see displayed in the department over which he presided—those opinions were fully expressed on the occasion of presenting that petition; and the application of his authority to the present question would, he felt fully persuaded, be attended with an advantageous effect. The right hon. Gentleman considering it the duty of Parliament that measures should be adopted for creating an efficient sinking fund, hoping, at the same time, that "hon. Members would not be led away by the cry for a reduction of taxation. If that were a cry raised in the market-place of Chelmsford, it might minister to the prejudices of some, but it did not come recommended by any maxim of political wisdom; such a cry might produce its effects upon Penenden-heath, but, if it were to be a rule for the government of the country, the honour, the interests, the power of the country, could not fail to be weakened by its operation; and he trusted that the House would listen to those considerations." Such was the language formerly held by the right hon. Gentleman. When during the late Administration the same Gentleman came down to discuss the question of finance in that House, bearing upon the Repeal of the tax in question, he hesitated not to designate the remission of taxation, as the subject of a general scramble for the advantage of individual interests in that House, in which scramble each class was justified in seeking to secure all to itself: those were views, the consistency of which he left the right hon. Gentleman to establish; but in even incidentally adverting to them, he could not help expressing a hope that his hon. Friends around him would never act in that House, upon the principle of a scramble; and, whether in the Government, or out of it, he could entertain but one opinion of the Members of that House—namely, that on this, and all other occasions, they would all feel it as a paramount duty to maintain the national faith.

END OF VOL. XXVI.—THIRD SERIES,

AND OF

FIRST VOL. OF SESS. 1835.

Lord *John Russell:* Mr. Speaker—After the speech made last night by the right hon. Gentleman opposite, I think it due to the House, to give such explanations as I can afford of the conduct and intentions of the Administration of Lord Melbourne, of which, as well as of that of Lord Grey, I had the honour to be a Member. Before I do so, however, I will state the reasons which induce me to support the Amendment of my noble Friend. Although no longer connected with office, yet as a Member of Parliament, anxious for the improvement of our institutions, I feel bound to provide that, notwithstanding the dismissal of the Ministry, and the dissolution of the Parliament, the reforms now to be proposed and carried, shall not be less searching in inquiry, or less efficient in remedy, than those upon which it was the intention of the late Administration of Lord Melbourne to have asked the consent of the late Parliament. It is for that reason I am glad my noble Friend behind me has proposed an Amendment to the Address moved on the other side of the House. That Amendment I look upon as a necessary step on several grounds. I look upon it as necessary, because it embraces a declaration of principles on the question of Municipal Corporations, not contained in the Address—because it gives a pledge on the part of the House respecting the claims of the Protestant Dissenters —and, finally, because it touches upon that question which seems to be so carefully avoided in the long and elaborate Speech from the Throne, namely, the abuses of the Irish Church Establishment.

For these reasons it is I give my entire support and approval to the Amendment of my noble Friend, and for these reasons I invite that portion of the House who desire to be classed in the ranks of Reform, to join with my noble Friend in his endeavour to carry it. If the House of Commons mean to maintain Reform in the same place it was left by the Administration of Lord Melbourne at the period of their dismissal,—if they mean to assert, that the exercise of the Royal Prerogative which removed from power one Administration and caused the appointment of another—if they mean that the exercise of the Royal Prerogative which caused the dissolution of one House of Commons and the election of another, should not deprive the people of the benefit of those Reforms which the late Administration and the late House of Commons have proposed to effect for them, let them now speak out in plain and decided language, and subjoin to the Address proposed by the Minister of the Crown, those additions which the Amendment of my noble Friend contains.

Some Members, and among others the hon. Member for Knaresborough, are, I perceive, afraid of the consequences of this proceeding. They are alarmed at the possibility that, should they ask for a removal of all the well-founded grievances of the Dissenters, the dread of contamination so forcibly expressed last year by the right hon. Gentleman, the Secretary for the Home Department, may induce him to resign his Seals of office. They apprehend that there may be some danger—supposing us to insist upon a measure of Corporation Reform, founded upon the demands of justice, and supported by the report of the Commissioners—lest the Lord High Chancellor, who has taken upon himself to assert in another place, that the greater part of the Corporation inquiry was illegal, and that the present Government were pledged to nothing more than the laying of the Commissioners' Report upon the Table, should, on our speaking out in our own language, our own sentiments, and those of our constituents, desert the Woolsack and abandon the Great Seal. Still worse, and in panic at the deplorable prospect, they dread that, should the subject of the Irish Church be mentioned, the whole Administration may go out. Well, Sir, I do not think we ought to forego these essential reforms for the sake of keeping the Gentlemen opposite in office. But I own I feel no such alarms. I happen to have some slight experience of the conceding qualities of the party who are now in power. I have seen them before now trample upon petition, and yield to demand. I have seen them, when the tide of popular opinion set strongly in favour of the Protestant Dissenters, grant a boon which, when that tide was less overpowering, they had denied. I have seen them, after refusing to the eloquence of Canning, the argument of Plunkett, and the prayers of millions, the measure called Catholic Emancipation, give way, upon force being thrown into the balance, and yield what they before rejected. I have seen also the same men, who opposed even the extension of the Elective Franchise to Leeds, Birmingham, and Manchester, afterwards ready, when the people from one end of the country to the other raised a cry for it, to concede nearly the whole of the Reform Bill.

And seeing all this, can I doubt, that if we speak out to the Throne in clear and decided language, in the course of a short time we shall have on our Table the Report on Municipal Corporations, that we shall have introduced to their notice a measure of Municipal Reform, and even that the difficult and dangerous subject of the Church of Ireland will receive a due consideration? I feel sure we have not arrived at the bottom of the concessions of the Tory party, and that there would be found by them something so urgent in the state of the question—something so pressing in the condition of the Representation of Ireland—something so appalling in the situation of society there, as to induce them sooner or later—and soon I hope it may be—to confess that their opinions respecting the Church of Ireland, are to be added to their other errors, and thereupon introduce a measure of full and just concession. Entertaining those opinions, I shall feel no hesitation in voting for the amendment of my noble Friend. Surely it is better that this House should speak its own language, and that, through this Address, their legitimate organ, the sentiments of the people should reach the Throne, than that they should take the chance of those various subjects being made the means of exciting discontent in England, and something more than discontent in Ireland.

I now come to the observations of the right hon. Gentleman respecting the conduct of the new Administration. I believe, however, I must correct that expression; for it struck me, at the time I heard the speech of the right hon. Gentleman, that it was a defence of his own conduct, rather than that of those with whom he is connected. I will admit that there is much that I might have to object to the right hon. Gentleman's party in this House, and there is still more that I have to object to the conduct of the party in the House of Lords during the existence of the late Administration, which does not apply to the conduct of the right hon. Gentleman himself. I have spoken of the right hon. Gentleman elsewhere, as has been mentioned by an hon. Gentleman this night; and as I have done, I will again do him the justice to say, that since the Reform Act, when he supported the late Administration, his support was most effective, and when he opposed them, his opposition was fair and manly. But I made this remark with reference only to that period; because if I look back and consider what took place, as regarded the Timber Duties and the Russian Dutch Loan—to say that there was any thing like fairness in the opposition of the right hon. Gentleman, would be a most extravagant indulgence of candour. I must likewise declare, while I admit the right hon. Gentleman's opposition to have been fair and manly when he did oppose, yet when he felt the question to be one of great importance, he had no difficulty or hesitation in avowing his direct opposition. At the period, for example, when the Irish Temporalities' Bill was before Parliament, my noble Friend, the Member for Lancashire, having declared that the Ministry would stand or fall by the success of that measure, the right hon. Gentleman voted against it in all, or nearly all its stages. The right hon. Gentleman will also remember, that at the time when the Irish Church Commission was appointed, he took an opportunity to declare that he had no confidence in his Majesty's Government; surely, then, the right hon. Gentleman will not find fault with me, when I declare that I want confidence in the Administration of the right hon. Gentleman. [*"Hear! hear!" from Sir Robert Peel.*]

I shall next speak to the facts of the last year. The Administration of Earl Grey came to a close in consequence of circumstances, which he himself explained in the House of Lords. I merely mention now, in order to deny in the strongest terms, the rumour that his resignation was the consequence of any intrigue. The circumstances were unfortunate, but intrigue to displace Lord Grey had no part in them. The Administration of Lord Melbourne was formed, and the determination was taken by that Government to adopt, as nearly as possible, the principles on which the Administration of Earl Grey acted with reference to the questions which ought to be brought before Parliament. It was resolved to take into consideration the remodelling of the English Church; to lay before Parliament, as soon as the report was made, the state of the Irish Church; and Lord Althorp declared that early in the ensuing (that is the present) Session he should bring before Parliament the question of Corporation Reform. Such was the state of affairs when Earl Spencer died, and Lord Melbourne went down to Brighton to receive his Majesty's commands. The right hon. Baronet was right when he said, that Lord Melbourne had declared he considered it essential for Lord Althorp to be a Member of the Administration; but, then, Lord Althorp was a Member of the House of Commons. I myself, among others, told Lord Melbourne that it would not be possible to form a Government with Lord Althorp out of the Ministry, while he remained in the House of Commons; but when, by the death of Earl Spencer, it became necessary for Lord Althorp to go to the House of Peers, Lord Melbourne resolved that he would carry on the Government on the same principles as those on which it was formed, if he had his Majesty's permission to fill up the vacancies which had occurred. On that subject, I will just allude to what a noble Lord in the debate of the other night threw out against me. I was never solicitous for the honour intended for me, yet when it was the wish of all my colleagues that I should take a part in the new arrangements, I could not deny what they were pleased to deem a service to the Whig party, and to the cause of Reform. It did not, however, please his Majesty to give to Lord Melbourne the permission he required; the reason why, and the responsibility of the permission being withheld, rests with the right hon. Gentleman and the noble Duke. The right hon. Gentleman does not deny his part of the responsibility, but I believe the right hon. Gentleman has alluded only to those transactions which took place after his return to England.

I must, therefore, for a short time, occupy the attention of the House, while I refer to reports which have been circulated, intended to be injurious to the Melbourne Ministry, but which, more especially, alluded to myself. It was stated over and over again, and repeated almost within a few days, that I intended to deprive the Protestants of Ireland of the assistance of Protestant ministers, and that I proposed in a certain number of parishes to eject the minister, to alienate, or abolish the tithes, and to raze the Church. The whole of that statement is a complete fable. With respect to the Irish Church, it was a question which, as I have already said, it was considered necessary to bring under the consideration of Parliament: but the Member of the Administration who, during the recess, was intrusted to prepare the papers on the subject, was Lord Duncannon, then Secretary of State, and I did not see those papers till they were out of the noble Lord's hands, and were printed. With respect to the suggestions of those papers, it is not now necessary for me to advert to them more specifically; but I will say, that their contents are entirely different from anything stated in the public rumours, to which I have adverted. With respect to another statement, that there was a difference between the Marquess of Lansdowne and Mr. Spring Rice and myself, I must say, that both previously to, and since, the breaking up of the Administration, it did so happen that there were none of the Members of the Cabinet whom I met so often, and with whom I held such frequent communications. I will also say, that if there were any of the Members of the Cabinet with whose views, feelings, and principles I better agreed, than with others, Lord Duncannon, the Marquess of Lansdowne, and Mr. Spring Rice, were those individuals. I will go farther still, and without stating the details of any plan, or entering into any specific proposition, I can safely declare that a principle they were all agreed on was this—that the funds of the Protestant Church in Ireland ought, in the first place, to be applied to give religious instruction to the Protestant population; and when that object had been carefully and fully provided for, the Legislature had the right to apply any surplus that might accrue to the general education of the people, including Churchmen, Roman Catholics, and Dissenters. What would have been the specific plan proposed to Parliament, it is impossible for me to say, because the late Government maintained, and I think truly, that they would not submit any measure to Parliament till, by means of a Commission, they had fully ascertained the facts on which they were to legislate. ["*Hear hear,*" *from Sir Robert Peel.*] I understand the right hon. Gentleman's cheer. I think it exceedingly improper, rashly and hastily, that is to say, before they are aware of the facts, to bring a measure before Parliament; but I think, with reference to all these great subjects, that the use of Commissions is, that they enable Ministers, having first stated their broad general principles, to apply those principles correctly to the details. The right hon. Gentleman has left out of his speech altogether, which no doubt he has a right to do, any mention of those Reports; but I think it my duty to trouble the House with this detail, because, though since the meeting of Parliament, the rumours to which I have adverted, have to a great degree vanished, yet I cannot forget that they were stated with a view to disparage the Administration that had been dismissed, and with a view to influence the elections which were then about to take place. It was, no doubt, with the same object, that a noble Lord, a Member of the other House, wrote a letter, which was very extensively distributed in the country, and which I would now read to the House, did it not appear to me such disgusting nonsense, that I think I shall hardly be justified in so doing: suffice it to say, that he calls upon the people of this country not to desert their God and their King—and all this founded upon anonymous falsehoods! Amongst other charges against the late Ministers, is this one, that they were always lending themselves to the projects of the hon. and learned Member for Dublin—that they were always listening to his views, and bending to his dictation, with respect to Ireland. Now, however, when the case is to be stated to Parliament, the only proof given by the right hon. Gentleman of a want of general confidence in the late Administration, is a passage of a letter, in which the hon. and learned Member for Dublin, instead of flattering, showed his distrust of several Members of that Administration. These frivolous grounds, stated by the right hon. Gentleman, being set aside, and the rumours formerly circulated being false, I will ask, when was there ever an exercise of the prerogative, for which so little reason could be given, as in this case? There could be no want of confidence in Ministers, on the part of the House of Commons. The right hon. Gentleman admitted this last night, in his confession, that he could not have depended upon 130 votes in that House. Why, then, was the Administration dismissed? Had any dreadful war broken out? Was commerce declining? Was the internal state of the country disturbed? Did any extraordinary circumstances make it necessary to resort to that measure? The King's Speech came and contradicted all these suppositions. One half of it was filled with testimonies to the excellence of the measures of the late Administration—with testimonies to the prosperity of our manufactures, and to the good order in which the late Government left the country. And the other half of the Speech consisted of recommendations of a portion of the measures that the late Government had intended to propose. I say, then, that the right hon. Gentleman did assume office, and take upon himself its responsibility, and the responsibility of dissolving Parliament, in a manner without precedent; for, let it be recollected, that the ground as to the state of the country being removed, and the rumours having been shown to be false, there was no reason why the country should be appealed to for the purpose of electing another House of Commons. There was clearly no ground why the displeasure of the King should be directed against the late House.

There was scarcely an instance of Parliament having been dissolved, without the Minister having previously met that Parliament. In 1784, Mr. Pitt encountered, what at this time of day would be called a factious opposition; the House was continually delaying and postponing the business of the country, and after a long trial, he appealed to the sense of the country, to learn whether his principles were or were not approved. In other instances, Ministers in every case met the Parliament, and, having strength, but not sufficient, asked the country whether it would support them. He did not say, that the right hon. Gentleman was not in a very difficult situation. He admitted that the noble Duke having taken that step, which he would say, was an unconstitutional step—investing himself and the Lord Chancellor with all the powers of the Government—and the right hon. Gentleman having nothing to do with that step, was placed in a situation of peculiar difficulty; for he could conceive the obloquy that would have attached to the right hon. Gentleman, had he declined the situation which was reserved for him. It would be well for persons similarly situated to the right hon. Gentleman, if his right hon. Friend, who is about to bring in a Bill to dispense in some measure with impressment of seamen, would introduce a clause to the following effect: "That no person, under colour of the King's warrant, have authority to send a press-gang into the Pope's dominions, in order to press Prime Ministers, and that all such persons be allowed to pursue their journeys quietly to Naples, or wheresoever they pleased." I believe the right hon. Gentleman, not having that protection, is in a situation in which he can scarcely avoid taking some share of the responsibility on himself. But then, why did he not call the late Parliament together, and state to them his measures and intentions? If his Ministry met with support, all was easy to him; if he ascertained that Parliament was factiously opposed to him, he could then have dissolved it; but if he had reason to believe that in opposing him, it spoke only the sense of the country, then all those difficulties which they had now to encounter, might have been avoided.

The right hon. Gentleman has declared to the House, the measures he intended to propose, but I do not think it possible for him to stand on that ground. It is the principle of the right hon. Gentleman, that the surplus revenue of the Established Church in Ireland, should not be applied to any other purposes than those of the Church. Could that principle be maintained? With respect to the Church of England, I always felt that its solid ground of defence was, that it afforded instruction to the poor; but what was the advantage of the Church of Ireland in those districts in which scarcely a Protestant was to be found? The only benefit it could be said to afford to the Catholic population was that quoted by the right hon. Gentleman opposite, from Bishop Berkeley, of having resident amongst them a country gentleman in a black coat.

With respect to another subject which is mentioned in the Amendment—namely, that of Corporations, I think it is now absolutely necessary that we should declare some principle, from the establishment of which the country may know that we are going to adopt and abide by the principles of popular control, and vigilant superintendence over those funds which have been notoriously mismanaged and abused. If I be asked to place confidence in the right hon. Baronet (Sir Robert Peel) on this subject, I declare at once and without reserve, that it is wholly out of my power to do so. I cannot confide in the right hon. Baronet's friends; I cannot put my trust in the party with which he has long associated; and I cannot forget that the fortresses of their power—the strongholds to which they have clung most fondly during many years past—have been those very abuses of the Corporations which it is now the business of Parliament in its wisdom to amend.

The right hon. Baronet, Sir, has talked of an opposition upon this ground—an opposition which does not go beyond the opinions we entertained as Ministers, and which only binds us to measures going as far as our own measures would have done,—as an attempt to embarrass the present Ministers for party and factious purposes. Sir, if that right hon. Gentleman will remember occurrences that are past, he will remember that he has been in office, and that I have been in opposition to the Government for many years; but I think he will not recollect that during the whole of that time I have been at all disposed to change any opinion I have once maintained or to qualify any opinion for the sake of offering an opposition to the Government. The right hon. Baronet says, and others say, that those who were most loud against the late Government, are now, like ourselves attacking the present. Does this observation apply only to us? Are there not among the hon. Gentlemen whom I now see arranged upon the opposite benches some who opposed the right hon. Baronet with a far other spirit, and with a very different kind of bitterness from that with which the Whigs ever attacked him? I do remember when we were attending, night after night, in large numbers to offer him our humble support, when he was acting in accordance with our principles, that at the end of the evening the right hon. Baronet got up and called the House to witness that three-fourths of the debate had been occupied in personal invective. Personal invective! from whom? Why from the very men who are now his staunchest friends, and his firmest supporters. There was a comparison made at that time affecting the right hon. Baronet personally; he was described as a Protestant Jesuit, conceding measures which he allowed to be dangerous, and altering his course when he declared that he had not altered his opinion. Did that elaborate and severe comparison come from a Whig, or a liberal Member of Parliament? Did it not come from one of the high Tories?

There was another attack made upon the right hon. Baronet. He was accused, not of yielding the Catholic Question, but of not having yielded it to Mr. Canning, the conscientious and eminent supporter of the Catholic Claims. It was urged that the state of Ireland had not changed —that the state of the Catholics had not changed—that the state of the House of Commons had not changed —and that the right hon. Baronet having no ground for his change of conduct, was offering an example which would destroy all confidence in public men. The orator who pronounced this strong and bitter philippic closed it by lifting up his hands and exclaiming—" *Nusquam tuta fides!*" From whom did this invective come? It came from the Paymaster of the Forces. Why to be sure, it might be the Ex-paymaster of the Forces,—the Member for Devonshire. Was it? No, it was the present Paymaster of the Forces, the Member for Kent! And yet after all this, we are to be told, that there is something strange and wonderful—something almost unprecedented—in our (with no change in our opinion) coming to the same vote with those who severely censured the late Government. I know very well, that there are many Members who differed from the late Government. Whether it was because the late Ministry did not go far enough, or that those Gentlemen were too impatient, is a question I will not raise again now. My opinion, of course, is the latter. I think they were going too quickly; they thought no doubt, that we were moving too slowly. I really see no reason, however, why we should discuss that question in the present House of Commons, any more than I see why the right hon. Baronet, the First Lord of the Treasury, and the Paymaster of the Forces, should discuss the question, whether all confidence in public men has been destroyed by the conduct of himself and his colleagues on the Catholic Question.

Sir, I have but one more comment to make upon the statement of the right hon. Gentleman. He said, if I understood him —and I think I remember to have met with the same assertion before, couched in somewhat similar terms—that, under the present Administration, the measures proposed to this House are likely to be carried without difficulty in the other House of Parliament. There really does arise upon this point a very nice and delicate question. That question is this—are these measures to be similar to, or are they to be different from, those measures, the announcement of which gave satisfaction to the country generally? If you say they are similar measures, you tell the country in plain terms, that the House of Lords will not agree to Reform measures unless they see in office a Ministry of their own selection. If the measures are to be different—if they are to be less effective measures of Reform then are we told that we must yield to the House of Lords with respect to the measures themselves, and that that which we think necessary cannot be proposed to Parliament?

Sir, I have always been opposed to attacks upon the authority of the House of Lords. My own opinion has been, and is, that if measures, which had the cordial concurrence of the country, were sent up to the House of Lords, though they might have been rejected once, though possibly they might have been rejected twice, still the House of Lords would eventually yield to what was the well-expressed and deliberate sense of the people of this country. In thinking and saying this, I pay a due tribute to the wisdom, I pay a due tribute to the patriotism, of the House of Lords. I wish them to have their due part and share in the Constitution, but I cannot allow that that power over the House of Commons which was held by them indirectly before the Reform Bill was passed, shall now be restored to them to be used directly. Sir, I know that we are now placed in a difficult crisis—the consequence I must say, of the events of November; because I do not believe that if Parliament had met at its usual time, with no interruption, any one would have thought for a moment that there was any difficulty in the case. But, without having had anything to do with the creation of that crisis, I must say that we are all bound to see that it passes over with safety to the peace, and with safety to the institutions of the country; but, at the same time, with good effect, and with success to the reformation of the Church and State. If this House should yield too ready and implicit an obedience to everything that is suggested from the Crown, we may incur the danger of losing the just and necessary reforms we seek to obtain; if, on the contrary, we proceed too rapidly and impatiently in the exercise of our highest prerogatives to alter that which the state of the country and the welfare of the people do not require to be altered, we shall be deeply responsible to our constituents and to posterity for our act. That we may safely steer between these two dangers is my fervent prayer —and I think that if we send to the foot of the Throne the Address, as amended by my noble Friend, stating clearly, but stating respectfully, the Reforms which are required, we shall have done our duty to those constituents and that posterity; and that we shall not deserve either to be reproached with pusillanimous weakness on the one hand, or inconsiderate rashness on the other.

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TO

VOL. XXVI., *(THIRD SERIES)* SESSION 1835.

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T. C. Hansard,
32, Paternoster-Row.